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THE HANOVERIAN EMBASSY IN VIENNA, 1764 - 1772:

A CASE STUDY IN PRINCELY DIPLOMACY IN THE

HOLY ROMAN EMPIRE

by



GERHARD J. SEIFNER

A THESIS

SUBMITTED TO THE FACULTY OF GRADUATE STUDIES AND RESEARCH

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The undersigned certify that they have read, and  
recommend to the Faculty of Graduate Studies and Research, for  
acceptance, a thesis entitled THE HANOVERIAN EMBASSY IN VIENNA,  
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the requirements for the degree of Master of Arts.



To Maureen



## PREFACE

The history of diplomatic relations can never be defined simply as a very concentrated political study. By their very nature they involve the interaction of states whose composition and interests were as varied as the socio-economic environment in which they were set.

In spite of the obvious philosophical and historiographical problems associated with the term "important," the scope of the present study does in fact lend itself to a better understanding of Europe in the Ancien Regime. The trends and developments prior to the events of 1789 were evident throughout most of Europe, and useful examples would likely be found in a study of relations between Vienna and Hanover too. Philosophical systems connected with the events that led to the great changes brought in by the French Revolution were not alien to the participants of the diplomatic records studied here. The changing role of the state is as much in evidence in the relations between the two members of the Holy Roman Empire as they were in other states. Therefore, even though the issues of concern to Hanover and Vienna are of sufficient significance by themselves, they can be linked to the more general setting of conditions in pre-revolutionary Europe.

As the correspondence of the Hanoverian embassy in Vienna demonstrated, the Reich was still an important entity to all of its members in the eighteenth century. Modern scholarship has certainly supported the foundation for this claim, and this study also testifies to it. The disturbances that shook the Reich in the period from



1740 to 1763 only tended to increase the interest among the Reichs-staende and Kaiser in the future of the empire. Both the main points of attention that surface in the diplomatic reports--the election of the King of the Romans and imperial investiture--are exemplary in this respect. But even in a more general overview of eighteenth century European history, the Reich was by no means insignificant. It was intricately linked to the balance of power in Europe; a concept that continued to rank preeminent among all the great powers. After 1763 Western Europe settled into a period of relative peace and the eastern regions--Poland, Russia, and the Ottoman Empire--captured the attention of states and statesmen. Key members of the Holy Roman Empire played central roles in those problems which arose. This only emphasized the geo-political importance of the empire and made it that much more important to European stability. Consequently, the two main issues discussed in the Hanoverian relations were also keenly observed by all of the European powers.

Although decision-making authority had been divided within the Reich thereby undermining a unity of purpose and direction, the bonds that held that confederation of states together were still substantial even in 1763. Most members continued to possess an ideological affinity to the empire. In addition, the Reichsverfassung remained important as a determining factor in the overall composition of all member states and played a part in the general socio-economic conditions prevalent. Therefore, even issues such as the election of the King of the Romans and imperical investiture help to frame the social and economic settings in the late eighteenth century.



This work also adds a great deal of information about the individual men who filed the reports in the service of electoral Hanover. The operation of a foreign embassy, and the diplomatic service in general, was observable at first hand. This adds to the understanding of the Hanoverian ambassadorial staff and also to that of the officials and fellow representatives in Vienna. The duties of the Imperial Vice Chancellor are frequently illuminated. So too are those of other officials of the imperial government. In addition, the references to Emperor Joseph II and Maria Theresa demonstrate the degree to which they personally entered into the matters reported by the Hanoverian diplomats. Even Prince Wenzel Anton von Kaunitz-Rittberg's name arises with regularity and shows that this central figure in Austrian history was also involved and interested in the workings of the empire. With the repeated references to other electoral ambassadors and agents in Vienna this work provides further information regarding the interaction of important officials in the Reich.

The use of hand-written diplomatic reports in the original eighteenth century German script provided the foundation for this study. Those reports indicated that the diplomatic relations of the Hanoverian embassy in Vienna from 1764 to 1772 deal with issues of central concern to the future of the Reich and two of its most important members. But by the nature of the matters that occupied Hanover and Vienna, the work is also a micro-social, micro-economic and biographical study of the Heiliges Roemisches Reich Deutscher Nation in the eighteenth century.



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## TABLE OF CONTENTS

CHAPTER	PAGE
I. HANOVER, VIENNA, AND THE <u>REICH</u> TO 1764 . . . . .	1
II. THE ELECTION OF THE KING OF THE ROMANS OF 1764 . . . . .	26
III. HANOVER AND IMPERIAL INVESTITURE; THE ROLE OF FEUDAL LAW IN THE <u>REICHSVERFASSUNG</u> . . . . .	59
CONCLUSION . . . . .	97
BIBLIOGRAPHY . . . . .	110
MAP THE HOLY ROMAN EMPIRE IN THE EIGHTEENTH CENTURY . . . . .	118
APPENDIX . . . . .	119



## CHAPTER I

### HANOVER, VIENNA, AND THE REICH TO 1764

As descendants of the Welfs, the House of Brunswick could claim a long and distinguished heritage. From 1235, when Otto the Child became the vassal of the Emperor Frederick II and was invested with his own lands as a Feudum Imperii,<sup>1</sup> that legacy became increasingly bound to the history of Kaiser und Reich. From the medieval period on, the House of Brunswick was intimately associated in a conflict between particularism and centralization. Although the clash found its most profound results in the relationship between emperor and estates, it was apparent in family relations, especially in the more confined setting of the divisions of the patrimony. Particularism destroyed the unity of the original holdings and the status they had held earlier. By the beginning of the seventeenth century the lands were in the possession of two lines with the secondary one subdivided into a junior and senior branch.<sup>2</sup> It was the secondary and younger one that eventually acquired the title and rights of an Elector of Brunswick-Lüneburg (Hanover) in 1692.

When in 1648 the Peace of Westphalia recognized the sovereign rights of every territorial state within the Reich, the victory over imperial absolutism could only be enjoyed and exploited where such policies could be established without disruption. It was not entirely coincidental that Brunswick-Lüneburg was able to achieve hegemony over the Welf territories after the Thirty Years' War. What



was less certain was that one man alone would complete almost all the necessary steps towards that end. It would be quite admissible to approach the crucial period of Hanoverian state building, which occurred from 1648 to 1714, in terms of the biography of Duke Ernst August, later the first elector. His reign (1661-1698) witnessed the changes which determined the form of Hanover's government for the electoral era, until the end of the old empire in 1806. The youngest of four brothers, he had gained his first experience in governing in the administration of a territory outside of the Brunswick patrimonial holdings which had already been apportioned to his elder brothers. He had become Coadjutor of Magdeburg in 1646<sup>3</sup> and later the first Lutheran administrator of the alternating bishopric of Osnabrueck in 1661.<sup>4</sup> Three years earlier, he had been married to Princess Palatine Sophia, a union which assured him of the eventual succession to Luneberg.<sup>5</sup> In 1679 he succeeded to Calenberg.

Even before the death of Georg Wilhelm of Celle, his last surviving brother, Ernst August's designs for a unified house were already well-established. The testament he published in 1682 not only embodied his claims of inheritance to Celle but also the indivisibility of all the Brunswick-Luneberg territory. It was at once a vindication of past policies and a program for future endeavours. The testament received imperial sanction the very same year from Leopold I (1658-1705) as a part of more complex negotiations then underway with Ernst August. The decision to make the testament of 1682 a Statuum Familiae registered in the Reichshofrat was linked, quite probably, to Ernst's promise to supply 10,000 troops on the



lower Rhine to combat Louis XIV during the War of the League of Augsburg. Support of the emperor was the characteristic of relations between Leopold I and Ernst August from this time on. It was this co-operation that allowed Ernst August to make other gains of great significance in the development of Hanover as one of the most influential member states of the empire in the next century. Additional territorial acquisitions were made in the 1690's when Saxe-Lauenburg and Hadeln (important since they lay at the mouth of the Elbe) were attained by military intervention<sup>6</sup> and costly purchases of rival inheritance claims.<sup>7</sup> It must be emphasized that the main interest of Ernst August well before 1690 was to acquire an electoral voice and not simply to expand territorial holdings.

The growth of the power of the duke of Brunswick-Luneberg manifested itself by the increased importance of this prince in the affairs of the empire on the whole. It was the support given emperor Leopold I in his wars with both France and the Turks (1680-1699) which provided the strongest reason for the success of the Brunswick attempt to gain an electorate. Although the negotiations between Ernst August and Leopold I are difficult to chart, it remains clear that they date from 1682. Within a decade the desired goal was transformed into reality by the issuing of the Kurtractat of 1692<sup>8</sup> and imperial investiture with electoral status in December of that year.<sup>9</sup>

The manner in which Hanover was elevated into the Electoral College was significant because it was carried out primarily by imperial fiat. Indicative of the personal nature of relations between Ernst August and Leopold I, such a unilateral action quite predictably



aroused an almost immediate negative response in many quarters of the Reich. Since any change to the Reichsverfassung could only be accepted if agreed upon by the estates voting in Regensburg, the other electors refused to seat Hanover initially. To substantiate their opposition, the parties unwilling to accept the validity of Hanover's elevation formed a confederation of princes including the archbishop-electors of Trier and Cologne, the Count Palatine and the duke of Brunswick-Wolfenbuettel. Known as the "wider die neunte Chur correspondierenden Fuersten," their opposition was expressed in the Reichstag and the Reichskammergericht.<sup>10</sup> When the confederation was renewed in 1700,<sup>11</sup> they also used the threat of military force. These princes could not, however, present any serious threat to the installation of Hanover in the College of Electors since, under the pressure of the Spanish War, the majority of the Kurfuersten were persuaded to accept the new member in 1708.

The outbreak of the War of the Spanish Succession in 1700 proved useful for rallying support for Leopold I. Consequently he, and later Joseph I (1705-11), managed to utilize the circumstances to carry through the acceptance of Hanover. When in 1708 Bavaria was placed under the ban of the empire for supporting Louis XIV, the matter of entrance could be formally settled. The Palatinate's reacquisition of its former seat<sup>12</sup> allowed Hanover to gain the vacant eighth place.<sup>13</sup> Along with the decree announcing the decision of the electors to allow Hanover to enter their ranks went the transfer of all rights, privileges, offices and titles connected with that dignity. The arch-imperial office of Erzschatzmeister was given in 1709,<sup>14</sup>



followed by another imperial investiture confirming the status in 1710.<sup>15</sup>

If Hanover's position as an electorate was considered secure by 1710, the exact determination of its titular office was soon in question again. The Peace of Baden (1714) reinstated Bavaria in its electoral position, thereby forcing the Palatinate to reclaim the eighth seat. Hanover, left only with the right to use the title of Erzschatzmeister, and not the right to exercise the office, found its precise character as an electorate somewhat ill-defined. The Peace of Baden marked the beginning of a Hanoverian policy to gain a more definite solution to this uncertainty; it was a policy that would be of continued importance throughout the greater part of the eighteenth century. The setbacks resulting from the Peace of Baden were significant in determining one element of relations with the imperial court. But that settlement also affected the interaction and association with the other electors. Most noticeably it set the tenor of relations with the Palatinate and caused repeated disputes between the two courts.<sup>16</sup> The correspondence of the Hanoverian embassy in Vienna from 1764 to 1772 provides an indication of the degree to which the matter of titular office continued to capture the attention of Hanover and Vienna, Hanover and the Palatinate, and also the other electors.<sup>17</sup>

By 1714 when Georg Ludwig of Hanover acceded as George I to the English throne, the electorate had already reached its basic territorial configuration. The bishoprics of Bremen and Verden were added in 1712 and 1715 respectively<sup>18</sup> but the Hanoverian succession in Britain did little to alter the structure of government in the



electorate.<sup>19</sup> The absence of the ruler resulted in the maintenance of the constitutional and administrative foundations laid prior to 1714.<sup>20</sup> Indeed, territorial integrity became the primary, and perhaps solitary, interest of the absentee rulers and was all the more easily accomplished by the aid of British subsidies.<sup>21</sup> Since military expenditures were by far the most costly feature of the state budget, the need to demand ever increasing sums of the Hanoverian tax-payer was somewhat cushioned by the use of British grants. The result was a more prosperous economic climate and also an uncommonly peaceful relationship between the electors and the local estates. The situation in the eighteenth century was such that it prompted one English observer to note;

...the Government of the several Counties which compose this Electorate is the least Despotick of any in the Empire. The Elector cannot make laws, raise taxes and c. without the consent of the estates which meet regularly every year for the Publick Good.<sup>22</sup>

Though this assessment may have captured the outward impression to some degree, its rather idealistic tone needs qualification. If the elector's powers remained undeveloped, those of the estates were successfully restricted. The determination of policy was left to central institutions embodying the will of the ruler. Local or regional governmental agencies dealt primarily with the collection of various levies and taxes. They implemented the policies determined by the central organs<sup>23</sup> and never maintained prerogative powers.

The development of absolutist centralization had already been carried out by Ernst August and found its basic expression in the Regierungsreglement of 1714.<sup>24</sup> This ordinance was one of the most



important documents for Hanoverian history in the eighteenth century.

It regulated the administration of all the offices of the central government. The most important officials who were described in it were the Geheimeraete (privy councillors) who staffed the Geheimrat.

They were appointed by the elector.<sup>25</sup> It was in the privy council that the most senior, and presumably competent, members of the government eventually sat. Here policy directives for the elector's approval were prepared; instructions from him were received and the manner of implementation often discussed and suggested for the ruler's approval and signature. Here also the reports arriving from all embassies were studied and acted upon. It was the privy council alone which received the dispatches of the Hanoverian Comitiat-ge sandten, ambassador to the permanent Reichstag in Regensburg.<sup>26</sup>

All other ambassadors were required to send their reports in duplicate;<sup>27</sup> one copy destined for the privy council and the other for the German Chancellory in London. Policies concerning the other agencies of government were also approved by the privy council. Hence, both the Kammer (Treasury) and the Kriegskanzlei (War Department) operated under guidelines set in it.

The main executive agencies of the Hanoverian central government were concerned with the administration of justice. Although the continued validity of customary law prevented the development of a single legal system or code of law, all new laws emanated from the elector. The highest judiciary organs included the Oberappellationsgericht, the highest court of appeal in the land. Subsidiary to it were the Justizkanzlei and the Hofgericht.<sup>28</sup> Even where local custom was recognized, it was not allowed to impede the functioning of the



dynastic Gesamtstaat which transcended regional boundaries. The privy council was, of course, also actively involved in these legal institutions.

Before George I's accession in Great Britain, the presence of the ruler precluded the need for a prime minister (or first minister) entrusted with the power to regulate the business of the privy council. However, it was not long after 1714 that just such a position was established de facto. Andreas Gottlieb Bernstorff and Hans Caspar Baron von Bothmer both functioned in this capacity during the reign of George I.<sup>29</sup> Shortly after George's death the status of the Muenchhausen brothers, Gerlach Anton and Philip Adolf, was certainly distinguished by their position in the privy council. Gerlach Adolf formally became prime minister in 1765.<sup>30</sup> It is understandable that as the absent ruler's interest became more concentrated in the Island Kingdom, the need for a head of government increased proportionately. Nevertheless the first minister never held the power of a governor-general, even when the interest of the elector in the German possessions declined. To the very end of the Holy Roman Empire in 1806, the King of Great Britain had to be consulted in any matter of importance. It was only the definition of what was important which varied, so that the Hanoverian privy council could exercise power more freely.

Along with the agencies of government in Hanover itself, a liaison agency, the German Chancellery was created in London. It maintained communications between the King in London and his Hanoverian privy council. The secretary of the German Chancellory supervised all incoming correspondence from Hanover and sent on the



outgoing decisions of the ruler. He also filled the role of personal secretary and advisor. So close was the association between the secretary and the King that his position often aroused British suspicions. He was thought to be either partially responsible for the King's preference for Hanover, or the only man likely to alter the interests of the monarch.<sup>31</sup> The position could prepare its holder for higher office in Hanover too. At the death of George I, the duties of the German Chancellery were restricted by Parliament to dealing with Hanoverian affairs alone.<sup>32</sup> Two secretaries were placed as the disposal of the minister and assisted him in analyzing the business sent to London. They were usually men trained in law.<sup>33</sup> However, as the King's interest in the German lands waned, the minister took on more initiative and screened most of the commonplace affairs. Only more important matters were reserved for the ruler's personal decisions.

In general, eligibility for any position of importance in the Hanoverian government was reserved exclusively for the high nobility.<sup>34</sup> It held an almost complete monopoly of the judiciary and legislative offices. Voting rights in the courts were limited to noble members in the Herrenbank, although a "learned bank" existed alongside it to offer advice.<sup>35</sup> Between seventy and eighty families belonged to this power elite. Membership in the privy council from the late seventeenth century to the end of the Holy Roman Empire came from this group, indicating how strong their hold was.<sup>36</sup> However, noble rank did not include a right to authorize policies. Consequently the nobles alone were not considered to be as much of a challenge to royal authority as the local estates had been. As in most other states in Germany, the Hanoverian high nobility claimed to be the most



capable strata of society and therefore entitled to hold the highest positions in government.<sup>37</sup> The qualities which formed the basis for those claims distinguished them from the lesser nobility, or Hofadel, which was much more a ceremonial nobility.<sup>38</sup> They were also clearly identifiable in relation to the Staatspatriziat. These were the lesser nobles, trained in law, who were responsible for staffing the lower offices of the civilian bureaucracy.<sup>39</sup>

Since the high nobility was entrenched in all important agencies of the government, seniority was perhaps the essential consideration for acquiring a post, or for promotion within the administration. The death of any member invariably brought about an immediate shuffling of personnel.<sup>40</sup> One member of the privy council in the eighteenth century went so far as to call this a quasi ius optionis seu ascensionis.<sup>41</sup> The removal from office of a member of the power elite was also strictly regulated. Only a breach of loyalty or gross incompetence could provide sufficient grounds for dismissal. Gerlach Anton von Muenchhausen stated in 1755 that it was "by time-honoured and most revered tradition recognized that a minister maintained his departments until he declared how far and in what manner he was prepared to step down from them."<sup>42</sup> With the decline in interest of the Hanoverian Kings in their German lands the high nobility became even more assured of maintaining their position and involvement in the issues that were of concern to the electorate.

The rationalization offered by the nobility for its position in the Hanoverian government was based on a tradition that extended far back into the medieval period. The conception of their status within the electorate was compounded and connected with feelings



towards their position in the Holy Roman Empire. The ideological link they provided between Hanover and the Reich was manifested by the social and corporate sentiments they shared with their counterparts elsewhere. The time-honoured role they continued to play in Hanover's government was based on claims that also characterized their association with the empire. This affected their perception of Kaiser und Reich, and transcended Landesfuerstentum and Territorium.<sup>43</sup> The dangers to their own state and position of power could still be minimized by the continuation of the empire. When peace was established in 1763, these beliefs were given an opportunity for actualization when the election of a King of the Romans became the first order of the day. However, the outbreak of religious conflicts in the empire prior to 1764 certainly provided concrete reasons for the Hanoverian government to assess carefully its position in the election that was planned after the Peace of Hubertusberg (1763).

Although many German jurists thought that the imperial constitution was cumbersome, it continued to be "the bond and guarantor of the existing legal order."<sup>44</sup> Its malleability was at once the cause for its complexity, but was also necessitated by the desire to have a base that could respond to any changes in the power of any of the empire's constituent states. At the centre of the visions embodied in the constitution lay the motive of preventing the emperor from gaining absolute power. Consequently, the dynastic aspirations of the Habsburgs were to be feared. The Peace of Westphalia had established checks to imperial authority. Henceforth, nothing that touched on the Reichsverfassung could be done without the consent of both emperor and estates. The treaty of 1648 also determined the



internal structure of the empire until its end in 1806. That settlement gave the empire the basic position it would hold in the concert of European powers. Furthermore, it determined the policies of the Austrian Habsburgs in relation to the Reich.

That the German Empire failed to develop a highly centralized nation-state under imperial authority was made final by the firm recognition of Landeshoheit of the member states in 1648. This simply magnified the need for a policy designed to consolidate and strengthen the Habsburg dynastic state. Initiated by Ferdinand I in the first half of the sixteenth century,<sup>45</sup> interest shifted until the reigns of Leopold I (1658-1705) and Charles VI (1711-1740) resulted in the almost complete lack of set policy regarding the empire. These two emperors were quite content to deal with particular needs as the situation demanded.<sup>46</sup> It was thought that the Reich could provide a cordon sanitaire against Vienna's most bitter rival, France. The traditional emnity with France would assure Vienna of success within the empire without much effort. The empire's loyalty to the Habsburgs weakened when Maria Theresa succeeded her father in Austria (1740) and Austrian diplomacy failed to secure the imperial election for her husband, Francis Stephen. The loss of the imperial crown, considered for so long as cumbersome, fostered the plans of Prussia, Bavaria, and France at the expense of Austria. It became quite apparent in Vienna that retention of the imperial throne was a necessary prerequisite for the survival of the far-flung dynastic holdings.<sup>47</sup> Although the Danubian Monarchy continued to be the primary concern of the Austrian emperors even after 1745, there was a marked increase in interest in the emperor's throne and the Reich.



After 1748, the Austrians realized that they had substantial support in the empire and reevaluated their position partly because of it. However, the most significant impetus resulting in the implementation of new policies was the rise of Prussia. Under Frederick II, Prussia replaced France as the most dangerous threat to the House of Habsburg, a change which necessitated an entire realignment of traditional alliance systems. "Seit dem Absterben K. Karls VI haengt die Erhaltung des Gleichgewichts im deutschen Reich von den politischen Verhaeltnissen ab, die zwischen Oesterreich und Preussen stattfinden."<sup>49</sup> England's friendship and cooperation had also come to be viewed with serious doubt in Vienna.<sup>50</sup> That the British Crown was unwilling to risk its individual interests in Germany was given ample verification between 1700 and 1748.<sup>51</sup> It was quite rightly assumed in Vienna that English priorities lay primarily with its overseas empire. Continental affairs were largely unimportant except when France appeared to be gaining hegemony. It was not unpredictable, then, that Kaunitz proposed to jettison the old alliances and attempted to link Austria to France. An alliance with the other Catholic Great Power in the eighteenth century would establish a territorial status quo and assure London that France would not gain preeminence. This would weaken England's desire to involve itself in continental affairs and would give Austria a free hand in dealing with Frederick II.<sup>51</sup>

But Austria's concern with the King of Prussia also provided added cause for the re-evaluation of its policy in the empire. The failure to achieve the reconquest of Silesia in the Seven Years' War (1756-1763) meant that other means to accomplish this end, or at least



to prevent further Prussian gains, would have to be adopted. This influenced the attitude of the imperial court regarding the Reich after 1763 and was also the attitude taken by the new emperor, Joseph II, when he acceded to the imperial throne in 1765.

Joseph's own conception of his role as emperor involved a concern with maintaining internal peace and the guarantees of religious rights. After 1780, when he succeeded in Austria in his own right, he proved unrestrained in carrying out reform in the dynastic lands. The Reich did seem to become less important to him. It was only after the death of Maria Theresa in 1780 that the Austrians managed to alienate the important north German princes and electors,<sup>52</sup> and even lost their majority support in the Prince's college in the Reichstag.<sup>53</sup> But prior to that time Joseph II was not indifferent to the empire. One cannot unquestioningly accept the suggestion that "Joseph had no desire, and therefore, no system or plan of reform for the empire,"<sup>54</sup> nor that any plans he did hold were "less of a concern for the empire than a demonstration of youthful idealism and exuberance."<sup>55</sup> His education in imperial history had left him with a sufficient understanding of the emperor's remaining governing powers. From 1754 to 1759 Joseph met regularly with Christian August Beck, Professor of State and Feudal Law at the Theresianum, to be tutored in imperial history and law. Beck made no attempt to credit the emperor's throne with powers that it did not possess<sup>56</sup> and impressed upon the royal student the importance of the few still remaining. The instruction focused on the legal foundations of the Reichsverfassung and the imperial throne. It was repeatedly emphasized that no law could be valid in the Reich unless agreed upon by both emperor and estates, but



also that "Reichsgesetzrecht Landesrecht bricht."<sup>57</sup> This formula was the ideal that Joseph attempted to maintain once he became Kaiser.

By the time that Joseph succeeded to the imperial throne he had no remaining youthful illusions concerning the Reich even if he lacked experience in its actual operations. The status of his perception of the Reich was then given concrete form in the Deliberanda<sup>58</sup> which he presented to Kaunitz in November of 1766. This consisted of a series of twenty-one points dealing with various reforms or policy objectives to be pursued in the empire. All displayed the same fundamental implication; the influence of Austria in the empire had to be developed in an effort to prevent the stronger states--especially Saxony, Brandenburg-Prussia, and Hanover<sup>60</sup>--from becoming too powerful.

To Joseph one of the first things that had to be accomplished in his new imperial policy was to convince the estates of the empire that Austria was not bent on aggrandizement, but rather interested in the common defense of the Reich. Commercial and monetary reforms designed to strengthen the Reichsstaedte and the Reichsritter<sup>61</sup> were to aid in the demonstration of good will. Both Protestant and Catholic states would be the recipients of these reforms, and by persuading prominent Protestant Reichspublizisten to promote the emperor's policies, the intentions might be more convincing.<sup>62</sup> The winning over of these influential men realized some success when J.J. Moser's son Friedrich Karl was temporarily enlisted in the service of the Kaiser.<sup>63</sup>

A number of points also dealt with those powers of the emperor which could not be jeopardized and would have to be enlarged. He mentioned that the emperor's rights as feudal overlord in the empire must be maintained and all important estates encouraged to gain formal



investiture of their imperial fiefs.<sup>64</sup> The Deliberanda stated that the Reichshofrat was to be made more credible and respectable in the eyes of the imperial estates.<sup>65</sup> This point had been raised by Joseph Bartenstein, a member of the Reichshofrat and son of the elder Bartenstein, in regard to Joseph's Wahlkapitulation, in which he promised a redress of grievances. Since the legal position of the emperor was so important in the eighteenth century--"in der Zeit staendig fortschreitender Aushoellung der Macht des Kaisers das letzte Wahrzeichen seiner Ueberherrlichkeit im Reich"<sup>66</sup>--and was an essential element in the matter of investiture too, some brief comments must be made about this important institution of the Reich.

Certainly the emperor's role as chief magistrate (Oberstrichter) in the empire too had come under scrutiny, and pressure existed to force conformity to the Reichstag's desire to limit it. Yet this judicial authority remained virtually unchanged from the sixteenth century to 1806.<sup>67</sup> The emperor's legal functions were firmly entrusted to the Reichshofrat (Imperial Aulic Council), the institution manned by appointees of the emperor. He alone was responsible for their salaries. He presided over its meetings in person or through his representative, the Imperial Vice Chancellor. The Kaiser could hinder opponents or foster supporters by influencing verdicts. To the estates, this was considered its major fault, and prompted them to demand its conformity to the Reichskammergericht (Imperial Cameral Tribunal). These efforts to make the RHR similar to the estates' highest court were rebuffed. The Reichshofratsordnung of 1654<sup>68</sup> established its independence from the RKG.<sup>69</sup>

It was the ability of the RHR to set aside strict procedural



regulations in an effort to reach decisions more attuned to individual circumstances and with greater speed, that assured its popularity. The RKG, which on one occasion required 188 years to reach a formal decision over the validity of a minor succession claim,<sup>70</sup> became notorious for its procrastination.<sup>71</sup> By the eighteenth century the decline in the number of cases brought to the RKG was offset by an inverse rise in the number brought to the RHR. From 1767 to 1779 the number of new cases rose from 2,100 to 3,400.<sup>72</sup> There was an annual average of 1,000 to 2,500 undecided cases (known under the rubric of currentia)<sup>73</sup> in the docket. The majority of cases involved lesser princes and states, Imperial Free Cities and Knights,<sup>74</sup> who felt that the RHR was more receptive to their needs and desires and could be expected to render its decisions more rapidly. However, it was with the emperor's authority that all decisions were released, an authority the RKG lacked. This meant that even the more powerful estates preferred the RHR. "So ist schliesslich zu verstehen, dass die wichtigeren Angelegenheiten gewoehnlich nicht vor das RKG sondern an den RHR gebracht worden."<sup>75</sup> The Imperial Vice Chancellor Rudolf Colloredo declared the RHR to be "das einzig uebrig bleibende Kleinod des Kays. Crone."<sup>76</sup> Not only the importance still attached to the RHR and the emperor's legal position in the empire in the eighteenth century makes the reference in the Deliberanda important, but investiture in fiefs held of the emperor was a legal matter involving this institution.

The set of proposals that Joseph made shortly after succeeding to the throne showed that he intended to play an active role in the empire. The response that the Deliberanda engendered from the Imperial



Vice Chancellor Rudolf Colloredo (1706-88) and Prince Wenzel Anton von Kaunitz-Rietberg (1711-1794) indicates their importance.

Colloredo responded to each of the points, and as the highest ranking imperial official, his views were important and instructive.<sup>77</sup> He argued that it was going to be difficult to convince the German states of Austria's selfless intentions in the Reich. Prussia would remain antagonistic and could influence a great number of other Protestant princes. To capture the confidence of these states by showing that Austria's goals were purely defensive, seemed to be a somewhat superfluous argument to him since most of the European powers had already shown a desire to maintain the empire as a political entity. However, by fostering a jealousy of Prussia in Hanover, allies could be gained indirectly through the friendship of Bruns-wick-Luneberg. Catholic states, especially Bavaria, the Palatinate, and the ecclesiastical princes, would likely only be won over entirely through expensive subsidies paid for by Vienna or the Papacy. The project of enlisting Protestant Publizisten, Colloredo informed Joseph, was already underway, as Friedrich Karl von Moser had been won over. The Imperial Vice Chancellor was already studying the entire question of imperial investiture and how best to make it fully operative again. Commercial and monetary reforms were to be modelled after those implemented in Austria. Colloredo's response to the Deliberanda shows that a concrete policy was already in place to a limited degree and was to be the first order of business in the new reign.

Prince Kaunitz's opinion on the Deliberanda of November, 1766, was directed not so much to a point by point discussion, but rather



to a more general assessment of their entire emphasis.<sup>78</sup> He began by questioning whether the plan for reform was worth the effort and expense. He admitted that the prestige of the imperial throne was still quite valuable, but in the judgement of this seasoned statesman, the goal for Joseph's system (i.e. Habsburg dynastic considerations) was more important than the characteristics of that system itself.

Der Endzweck E.Kais.M. Reichs-regierung ist die Wohlfahrt des roemischen Reiches und die Vereinbarung dieser Wohlfahrt mit jener dero durchl. Erzhauses.<sup>79</sup>

Kaunitz, too, would have supported Joseph's proposal concerning the empire, but if and only if the benefits to Austria were substantial enough to warrant the difficulty of implementing the plans.

It can be stated that the empire was still very much an active political entity in the eighteenth century. At the time of Joseph's succession in 1765 this had not yet changed. The nature of government in Hanover helped to determine its continued interest in the Reich and the issues that captured the attention of its members. Equally, Joseph II's conception of his role as emperor indicated that the Reich would again be an important element in the policies considered best for his dynastic interests.



## FOOTNOTES TO CHAPTER I

<sup>1</sup> See especially Ernst von Meier, Hannoversche Verfassungs- und Verwaltungsgeschichte 1680-1866 (hereafter Han. Verfassungs; Leipzig, Duncker and Humboldt, 1898 1899), introduction. Also, H.A. Zacharias, Das Successionsrecht im Gesamthaus Braunschweig-Lueneburg (hereafter Successionsrecht; Leipzig, Hahn, 1862).

<sup>2</sup> The most reliable account for the period to 1700 can be found in Meier, Han. Verfassungs., I.

<sup>3</sup> Ibid., I, 89-90.

<sup>4</sup> G.B. Ward, Great Britain and Hanover (hereafter G.B. and Hanover; Oxford, O.U.P., 1899) says that he held this since 1652 but the more reliable Biographisches Woerterbuch zur Deutschen Geschichte (hereafter Bio. Woerterbuch; Munich, Francke, 1973-1975) I, 640, states only in 1661.

<sup>5</sup> Meier, Han. Verfassungs., I, for details concerning the complex order of succession through which Ernst August acquired Lueneberg.

<sup>6</sup> The justification for the military intervention was that Swedish forces were attempting to seize imperial lands and Georg Wilhelm of Celle was merely protecting the emperor's rights of sequestration. That Hanover had claims of inheritance was certainly the primary motivation, however, and after the Reichshofrat had studied the claims, both areas were handed over to Hanover; Saxe-Lauenburg in 1716 and Hadeln not until 1731.

<sup>7</sup> The claims of the duke of Saxe-Gotha and Saxe-Weimar were purchased in 1697 and those of Brunswick-Wolffenbuettel in 1700. See Meier, Han. Verfassungs., II, 90-93.

<sup>8</sup> A number of specific terms of the Kurtractat were considered essential elements. Most notably, the elector was to support Habsburg candidates in imperial elections, support their claims to the Spanish Succession, and maintain a "Perpetual Association" with Vienna.

<sup>9</sup> J.S. Puettner, Historische Entwicklung des Heutigen Staatsverfassung des Teutschen Reiches (hereafter Entwicklung; Goettingen, Vandenhoeck and Ruprecht, 1788), II, 258-262.



## FOOTNOTES TO CHAPTER I - continued

<sup>10</sup> That certain legalities concerning Hanover's territorial composition were brought up at the Reichskammergericht and not the Reichshofrat is illustrative of contemporary opinion which held that the latter was an instrument of the emperor's policies.

<sup>11</sup> Puettner, Entwicklung, II, 329-333.

<sup>12</sup> Bavaria had gained the Palatinate's electoral voice during the Thirty Years' War thereby necessitating the creation of a new one in the Peace of Westphalia.

<sup>13</sup> Reichsgutachten, 30 June, 1708, dealing with the entrance of Hanover and readmission of the lapsed Bohemian voice. See J.J. Schmauss, Corpus Juris Publicii (Frankfurt and Leipzig, Fritschen, 1727), 1513.

<sup>14</sup> Imperial Commission Decret, Regensburg, 16 December, 1709. Again Schmauss, 1513.

<sup>15</sup> Puettner, Entwicklung, II, 333.

<sup>16</sup> Most of the Reichspublizisten in this study made mention of this, as did the anonymous English work, The Present State of Germany (London, 1738), I, 137.

<sup>17</sup> See below chapter III.

<sup>18</sup> Meier, Han. Verfassungs., I, 97.

<sup>19</sup> F. Hartung, Deutsche Verfassungsgeschichte vom 15. Jahrhundert bis zur Gegenwart (hereafter Verfassungsgeschichte; Stuttgart, Koehler, 1950), 143-144.

<sup>20</sup> Meier, Han. Verfassungs., II, 22-27.

<sup>21</sup> G. Brauer, Die hannoversch-englischen Subsidienverträge 1702-1748 (hereafter Subsidienverträge; Aalen, Scientia, 1962). *passim*.

<sup>22</sup> The Present State of Germany, I, 155.

<sup>23</sup> Meier, Han. Verfassungs., I, 160.



## FOOTNOTES TO CHAPTER I - continued

<sup>24</sup> Issued by Georg Ludwig, it was based almost entirely on a similar ordinance decreed by Ernst August in 1694.

<sup>25</sup> Ward, G.B. and Hanover, 52.

<sup>26</sup> Meier, Han. Verfassungs., I, 160.

<sup>27</sup> Specifically, Article 16 of the Regierungsreglement of 1714 provided the regulations governing all embassies. See Meier, Han. Verfassungs., I, 160.

<sup>28</sup> Ibid., II, 42-189.

<sup>29</sup> W.A. Speck, Stability and Strife; England 1714-1760 (hereafter Stability; London, Arnold, 1977) and Ward, G.B. and Hanover.

<sup>30</sup> Ward, G.B. and Hanover, 167-169.

<sup>31</sup> Speck, Stability.

<sup>32</sup> Meier, Han. Verfassungs., I, 172.

<sup>33</sup> Ibid., I, 179.

<sup>34</sup> J. Lampe, Aristocratie, Hofadel, und Staatspatriziat in Kur-hannover (hereafter Aristocratie; Goettingen, Vandenhoeck and Ruprecht, 1963), I, 10.

<sup>35</sup> Meier, Han. Verfassungs., I, 42-189.

<sup>36</sup> See tables at end of Meier, Han. Verfassungs., II.

<sup>37</sup> Lampe, Aristocratie, I, 1-95.

<sup>38</sup> Ibid., I, 95-211.

<sup>39</sup> Ibid., I, 212-241.

<sup>40</sup> Again, most informative would be the tables at the end of Meier, Han. Verfassungs., II.



## FOOTNOTES TO CHAPTER I - continued

<sup>41</sup> Ibid., II, 51.

<sup>42</sup> Ibid.

<sup>43</sup> Lampe, Aristocratie, I, 14, says; "Sie fuehlten sich zunaechst und vor allen Dingen als Mitglieder des Reiches."

<sup>44</sup> H. Gross, "The Holy Roman Empire in Modern Times; Constitutional Reality and Legal Theory," (hereafter H.R.E. in Modern Times) The Old Reich: Essays on German Political Institutions 1495-1806 (hereafter Old Reich; Brussels, 1974), 19.

<sup>45</sup> Although Maximilian I (1493-1519) made some effort to centralize the various organs of government in the dynastic lands, he was still actively involved in fulfilling his functions as emperor; this was perhaps his most pressing concern. Only with Ferdinand I (1558-1564) did the dynastic state begin to take precedence over the Reich.

<sup>46</sup> See especially O. Redlich's works.

<sup>47</sup> R. Vierhaus, Deutschland im 18. Jahrhundert (hereafter Deutschland; Goettingen, Vandenhoeck and Ruprecht, 1978), 23.

<sup>48</sup> E.K. Wieland, Lehrbuch der deutschen Reichsgeschichte (Leipzig, Schicker, 1788), 428.

<sup>49</sup> F. Pribram, Oesterreichischen Staatsverträge; England 1526-1813 (hereafter Staatsverträge; Innsbruck and Vienna, 1907-1911), II.

<sup>50</sup> See again Pribram, Staatsverträge, II. This was particularly obvious in the election of Charles Albrecht of Bavaria where George II had bought Hanover's neutrality in return for giving the Bavarian candidate his vote. See also H. Holborn, A History of Modern Germany 1648-1840 (New York, Knopf, 1964), 211.

<sup>51</sup> A. von Arneth, Geschichte Maria Theresias (hereafter Geschichte; Vienna, Braumüller, 1863-1879), V.

<sup>52</sup> K.O. von Aretin, Heiliges Roemisches Reich 1776-1806 (hereafter Reich; Aalen, Steiner, 1967), I, for more detail.

<sup>53</sup> Ibid., I, 56.



## FOOTNOTES TO CHAPTER I - continued

<sup>54</sup> K. Biedermann, Deutschland im 18. Jahrhundert (Leipzig, Weber, 1858-1867), I, 56.

<sup>55</sup> Aretin, Reich, I, 14.

<sup>56</sup> Beck also stressed the preeminence of the dynastic lands above the Reich and echoed similar notions expressed by Joseph's chief tutor Johann Christoph Baron von Bartenstein. Indeed, this was unquestionably the belief of the entire Viennese court. See H. Conrad, Recht und Verfassung des Reiches in der Zeit Maria Theresias (hereafter Recht und Verfassung; Cologne and Opladen, Westdeutscher Verlag, 1964).

<sup>57</sup> Ibid., 173.

<sup>58</sup> Khevenhueler-Metsch, Aus der Zeit Maria Theresias. Tagebuch des Fuersten Johann Josef Khevenhueler-Metsch, Kaiserlichen Obersthofmeisters 1742-1776 (hereafter Tagebuch; Vienna, Holzhausen, 1907), VI, 479-482.

<sup>59</sup> Ibid.

<sup>60</sup> Indeed, Joseph mentioned that the powerful states could be neutralized by fostering jealousy between them. Khevenhueler-Metsch, Tagebuch, VI, 482.

<sup>61</sup> Ibid.

<sup>62</sup> The influence attributed to the Reichspublizisten in the eighteenth century is most clearly demonstrated by this suggestion. They were certainly of more than scholarly importance.

<sup>63</sup> See especially H.H. Kaufmann, Friederich Karl von Moser als Politiker und Publizist (Darmstadt, Hessischer Staatsverlag, 1931).

<sup>64</sup> Khevenhueler-Metsch, Tagebuch, VI, 481-482.

<sup>65</sup> Ibid.

<sup>66</sup> O. von Gschliesser, Der Reichshofrat: Bedeutung und Verfassung, Schicksal und Besetzung einer Obersten Reichsbehoerde von 1559-1806 (hereafter RHR; Vienna, Holzhausen, 1942), 43.



## FOOTNOTES TO CHAPTER I - continued

<sup>67</sup> Gschliesser, RHR, 7.

<sup>68</sup> This document was one of the most important in the empire's constitution. Beck included it as one of the Grundgesetze of the Holy Roman Empire.

<sup>69</sup> Indeed, the Reichskammergerichtsordnung, establishing the procedures and structure of that court, was not even deemed as required knowledge for members of the Reichshofrat. See W. Sellert, Prozessgrundgesetze.

<sup>70</sup> Biedermann, Deutschland, I, 32.

<sup>71</sup> The reasons for the Reichskammergericht's poor rate of dealing with litigations were numerous. The fact that the members of this court were chosen by the estates allowed disputes between them to carry over into this institution and retard the process of rendering decisions. Financing was no less a problem, although the inflexibility of the court itself--its unwillingness to bend procedures--was its most serious fault. See R. Smend, Das Reichskammergericht: Geschichte und Verfassung (hereafter RKG; Weimar, Boehlaus, 1911), for more details.

<sup>72</sup> Gschliesser, RHR, 39.

<sup>73</sup> Ibid.

<sup>74</sup> Ibid., 20.

<sup>75</sup> Sellert, Prozessgrundgesetze, 126.

<sup>76</sup> Gschliesser, RHR, 43.

<sup>77</sup> The following section is based on Khevenhüller-Metsch, Tagebuch, VI, 482-504.

<sup>78</sup> This section founded on Ibid., VI, 499-504.

<sup>79</sup> Ibid., 504.



## CHAPTER II

### THE ELECTION OF THE KING OF THE ROMANS OF 1764

When the Peace of Hubertusburg was signed on 15 February 1763, the empire was moved into a period of peace unparalleled since the sixteenth century. The almost universal desire to halt the incessant warfare was of sufficient magnitude to ensure that peace would be actively pursued and protected. Hubertusburg embodied a permanence that the settlements of the 1740's did not. Almost immediately after the contractual agreement ending the Seven Years' War in the Reich had been finalized, the empire was faced by a test of both its willingness to maintain peace and the direction it was to follow in the future. The examination manifested itself in the events leading up to and including the election and coronation of the King of the Romans. It was a matter of interest to all imperial estates and the European states, but only the electors themselves exercised any decisive power. To this end, it was important to send a new ambassador to Vienna and restore the normal link with the emperor.

The first resident ambassador to represent the elector of Brunswick-Luneberg at Vienna once peace had been established, was Georg Friedrich Steinberg (1727-1765). Of an illustrious noble family<sup>1</sup>--Georg Friedrich was related to George III--the Steinbergs were by birth assured of the right to attain high office. Georg Friederich's father had held many posts in the Hanoverian ministry, the most distinguished of which was Chancellor of the London Office



from 1738 to 1749. Georg Friedrich himself acquired his first position by the age of eighteen.<sup>2</sup> Promotions then allowed him to become a Geheimer Kammerrat within eight years. In 1756 he was sent as ambassador to Vienna but arrived too late to carry out any diplomatic duties since events of greater magnitude had already sealed the fate of Hanoverian-Viennese relations. The Diplomatic Revolution ended a long but troubled history of association and alliance between the two,<sup>3</sup> followed by the outbreak of war. Hence Steinberg's brief term as ambassador.<sup>4</sup> His career as a diplomat was begun in earnest two years later when he was sent to the Royal Danish court. This assignment, which lasted until his reinstatement in Vienna five years later, undoubtedly served as an apprenticeship. During that time he familiarized himself with the method and style of instructions, of sending reports, and the entire procedure of diplomacy. Steinberg's career would not have ended at the ambassadorial level either. Only his untimely death in June of 1765 (following his recall to Hanover) prevented him from taking a position in the privy council. Steinberg apparently suffered from an affliction which periodically rendered him bed-ridden. On the auspicious occasion of Archduke Joseph's coronation as King of the Romans he was forced to excuse himself from travelling to Frankfurt because of this recurring illness.<sup>5</sup> The fact that the winter of 1764-65 was particularly inclement (Court Chamberlain Khevenhueller described it as a winter "sehr ungesund und variable, fast ohne Gefrier und Kaelte, dahero auch viel leuth an catheralischen Fiebern erkranket")<sup>6</sup> may have precipitated another attack which proved to be fatal.



Georg Friedrich Steinberg's first dispatch from Vienna was dated 4 January 1764. The first matter worthy of mention by him was the upcoming electoral diet meeting to choose a King of the Romans. This topic would continue to rank as the preeminent one throughout Steinberg's period of residence at the imperial court. Hubertusberg had already indicated that such an election would take place. With the ever-present threat of an interregnum in the event of the emperor's untimely death, the determination of the succession to the emperor's throne was a matter of concern to all. It was that very threat that had stimulated propositions for this type of election earlier in the reign of Francis I and in the history of the empire. As early as 1748, and certainly by 1750, propositions were made to the Viennese court suggesting that the election of a King of the Romans would be well-advised precaution against the repetition of the events of 1740.<sup>8</sup> In January and again in June of 1750 Maria Theresa and the Dutch ambassador Count William Bentinck (1704-1774) met on several occasions and talked of an election. Count Bentinck hoped to convince the empress that if Francis were to die prematurely France would gain supremacy in the empire. An immediate election would be advisable. Maria Theresa was not willing to accept the arguments outlined by Bentinck and refused to consider or pursue the plans for an election.<sup>9</sup> Given its intricate nature, and the especially difficult work of constructing a Wahlkapitulation, too many concessions would have been needed to realize success. The project was shelved for the next decade and a half. The course of events during that time were sufficiently decisive to make the project of electing a King of the Romans somewhat more desirable, possib-



le and necessary.

At the Peace of Hubertusburg, Friedrich II of Brandenburg-Prussia had agreed to an early election of the King of the Romans. Little time elapsed before more concrete steps were initiated to begin the electoral procedure. Chancellor Kaunitz mentioned the necessity of beginning preparations to Maria Theresa as early as March of 1763.

Electioneering began shortly afterwards.<sup>10</sup> Count Johann Baptist Pergen (1725-1814), the imperial resident at Mainz, was ordered to forward plans for an election to Archbishop Emmerich Joseph who was ex officio Archchancellor of the empire. Pergen was instructed to gain the support for his proposal from the Archchancellor,<sup>11</sup> who was not only the first officer of the Reich but also presided over the College of Electors. He was in charge of all elections. His acquiescence in the plan was the initial step that had to be taken, since it was he that sent the notices to the electors and formally advised them of an impending election. As in the case of all electors, however, his vote too had to be purchased by cash settlements, territorial concessions, or the granting of rights and privileges; these were the main types of "currency" used in buying votes. The Archbishop contacted Maria Theresa shortly after Pergen's audience and informed her of "the terrible strain" his lands were forced to endure during the course of the last war. The meaning of the declaration was clearly evident in Vienna, but it appears no concrete offers were ever made; certainly Steinberg was unaware of any.<sup>12</sup> Vienna realized that the general desire for peace was felt also by the Archbishop of Mainz and counted on his wish to have an ordered succession to the imperial throne. His vote and cooperat-



ion was never really in question and may have been the reason why no firm offers were made to him.

Pergen's instructions also advised him to forward similar notices to the other ecclesiastical electors; namely, to Archbishop Maximilian Friedrich of Cologne and Joseph Philip of Trier.<sup>13</sup> Both were staunch supporters of Archduke Joseph's candidacy. Steinberg's reports contain almost nothing of notable length and importance regarding these two electors. In general, the dispatches are somewhat silent on the positions of all three Archbishop-electors. Their allegiance to the Catholic candidate from Vienna was never in doubt<sup>14</sup> and consequently, they were unimportant to the secular electors as sources of opposition to Vienna's designs.<sup>15</sup>

The secular electors represented a different political camp. First they earned their right to rule through inheritance and not by election as the three ecclesiastical Kurfuersten. Even more important was the fact that of the six temporal electors four--Bavaria, Bohemia, the Palatinate and Saxony--were ruled by Catholic princes. The Catholic majority in the College of Electors tended to raise the spectre of a revival of counter-Reformation policy under Habsburg absolutism. In addition, a serious dispute had arisen prior to the electoral congress that magnified religious tension which had not been fully eradicated by the settlements of Westphalia. In this instance it involved the Catholic duke of Wuerttemberg, Charles Eugene (1728-1793), and his Protestant subjects. The duke's circumvention of the Protestant estates was interpreted as a direct assault on established religious rights possessed by its members. By linking political rights of concurrence with religious guarantees



embodied in the imperial constitution, such disputes became very serious. Charles Eugene's rather unconstitutional attack on the rights of the estates emphasized the possibility that Vienna was embarking on a revived policy of Catholic absolutism, because no measures were immediately taken to censure the duke. Vienna was suspected of being sympathetic to such actions and contributed to the religious crisis which "assumed crucial importance to the Protestant electors."<sup>16</sup> Although no measures were taken to restrain Charles Eugene before the conclusion of the election, there was no way of knowing whether this problem would delay the matter or not.

Negotiations with all the secular electors, however, were much more intricate and involved since their grievances were invariably more important to the foundations of the Reich and their support for Vienna by no means a certainty. Indeed, Maria Theresa and Francis I had already seen their original goal for the conclusion of the election before the end of 1763 dashed by a matter that captured the attention of the secular electors. The delay was caused when the Princely estate at Regensburg again requested the right to present a list of grievances to be incorporated into the Wahlkapitulation. They hoped to establish the right of concurrence in the election procedure. To the electors this was clearly an unconstitutional infringement on their recognized rights. They decided, therefore, not to begin the formal procedure until this issue had been resolved.<sup>17</sup> Therefore, it was very important to the imperial court because it resulted in an immediate delay in the election of a King of the Romans. That the Archbishop of Mainz did not formally present the electors with the Quaestio; An?, and the first main session of the



congress did not convene until March 3, 1764,<sup>18</sup> indicates that Vienna's concern about the positions of the secular courts was not unwarranted.

In the estimation of Vienna, Saxony was one of the least cooperative electors. In March of 1763 Prince Kaunitz had written the Austrian ambassador in Paris--Georg Adam Stahremberg--"so aeussert sich doch bey allen Gelegenheiten ein wahrer Hass des Chur Saechsischen Ministrii gegen Unsren Hof."<sup>19</sup> Although the Catholic electors were well disposed to Austria, the Protestant privy council was not willing to subscribe to all of Vienna's wishes. Also, there was at the time of the proposed election a regency. Even the alliances of the Seven Years' War had accomplished little in the way of an improvement in the tenure of relations between the two parties. The dichotomy of religious and political allegiance of Saxony also made it an unreliable ally to other members of the empire. In the Reichstag it had relinquished its leading role in the Corpus Evangelicorum to Brandenburg in 1696 because the rulers converted back to the Church of Rome. Nominally, however, they still presided. The Catholics, on the other hand, were only too aware of the hostile Protestant privy council and therefore were equally suspicious of Saxony. Little could be done to avoid relegation to the group of electors of secondary importance whose only strength came from the associations that it held with other states. Quite predictably, then, the Reichspublizisten of the eighteenth century could easily dismiss the Saxon electors as suitable candidates for the imperial throne.<sup>20</sup>

Nevertheless, this electorate could not be ignored. Any



decision which touched on the constitution of the empire ultimately involved Dresden. Committed to the status quo, Herkommen (precedent or tradition) was of vital significance in that vigilant posture, as it was in the constitution of the empire itself.<sup>21</sup> Accordingly, Saxony was one of the first courts to express its unwillingness to accept the Princely estates' requests concerning the election and the Wahlkapitulation.<sup>22</sup> Steinberg's dispatch of January 21, 1764, included information he had received "von gantz sicheren Hand" relating how Saxony hoped that a united front could be presented against this encroachment.<sup>23</sup>

Although Saxony's position contributed to the delay of the election, Steinberg himself felt that it would lend Joseph its support once the actual congress had begun.<sup>24</sup> That he could report throughout January, February and March, 1764, that their Imperial Majesties were still carrying out preparations for an upcoming election and coronation would suggest that Vienna too saw the Saxon position in a like manner.<sup>25</sup> Vienna realized that its support of projects being pursued by Prince Francis Xaver (1730-1806), the Regent governing in the name of the minor Friedrich August III, could be linked to a vote for Joseph.<sup>26</sup> That the Saxon ambassador to Vienna was one of the first diplomats to depart for Frankfurt was accepted by Vienna as a sign of cooperation from that quarter.<sup>27</sup> Although the suggestion of the second imperial ambassador to the electoral congress, Baron Johann Christoph von Bartenstein,<sup>28</sup> to meet extra collegialiter,<sup>29</sup> in an effort to conclude the selection of a King of the Romans, was not accepted, Steinberg could still report with certainty that Saxony was decided. Along with Mainz, Cologne, Trier, and Bohemia,



these electors were all in favour of the immediate conclusion of the election.<sup>30</sup> In the construction of the Wahlkapitulation Saxony was equally compliant with Vienna's desire to maintain it in the form of Francis I's. The only suggestion initiated by the court at Dresden was to have Augustus the Strong's numerous illegitimate offspring legitimizied; a proposal Vienna could easily reject.<sup>31</sup>

The Count Palatine, Charles Theodore (1724-1799), was in much the same position as his Saxon counterpart. As a member of the College of Electors this prince maintained an enviable status. However, the period of recovery from the destruction and devastation of the Thirty Years' War was crucial in determining the rank of that electorate in the eighteenth century. The method of achieving a period to allow for recovery was marked by the participation in the alliances with France designed to hinder Habsburg hegemony and to create a balance of power in Europe. Since Leopold I had been prevented from embroiling the Reich in purely dynastic conflicts, Count Palatine Charles Louis (1617-1680) thought it highly successful and worthy of maintenance.<sup>32</sup> He was one of the most vocal proponents of the links to France, and by marrying his daughter to the Duke of Orleans believed his security even more solidly established. He did not, however, live to see that France would claim the inheritance of his lands when he died without male issue, thereby setting off the War of the League of Augsburg. The devastation that was caused by this war proved to be everywhere as complete and ruinous as that of the Thirty Years' War. The Palatinate never recovered from these conflicts during the remainder of the old Reich and before Charles Theodore's reign was relegated to a secondary position among the



electors in the eighteenth century.<sup>33</sup>

It was not only the economically depressed condition of the Palatinate that fostered or earmarked its decline. After the death of Charles Louis its policies began to suffer from a loss of credibility in the empire. The extinction of the Protestant line of Counts Palatine in 1680 brought about the arrival of the Catholic Neuburg line. The new dynasty pursued policies sympathetic to Catholicism. There was also pressure to reconvert to the Church of Rome in the predominantly Protestant lands. Attacks on the Protestant ministry, which were a part of that policy, added additional problems for an already struggling state. When the Peace of Ryswick (1697) was concluded one clause provided that lands occupied by the French in 1684 were to be returned along the religious status of that date. The counts of the Palatinate supposed that their Counter-Reformation programs were sanctioned by the "Ryswick Clause." The Protestants throughout the Reich, however, would only accept the status quo ante bellum and recognized a real threat to their constitutional rights. It has been suggested that one of the most immediate outcomes of the changes of religious affiliation of the Counts Palatine was Hanover's acquisition of the ninth electoral voice.<sup>34</sup> If the Counts Palatine were unsuccessful in their ambitious policies, they were entirely successful in creating a hotbed of confessional strife involving questions that concerned the entire empire. Another change in dynasty in 1742 did little to alter the course of policy adopted by the electors,<sup>35</sup> nor the hostility of the Protestant ministry.

In the matter of the election of a King of the Romans, the Mannheim court had little real significance at the time, even if



Charles Theodore was considered as a candidate. Its only power lay in the alignments with other electors and the presentation of a common front. Besides raising questions dealing with necessary clarification of elements of imperial investiture,<sup>36</sup> it also wanted the matter of participation or concurrence of the Princely estate in the Reichstag dealt with prior to the election. Prussia's proposal to have the issue resolved by the Reichstag or the College of Electors, or that they could be accepted as secondary observers, was well received by Charles Theodore.<sup>37</sup> That such plans,<sup>38</sup> especially if adopted by more of the electors, could seriously retard the election of the King of the Romans was sufficient to warrant concern in Vienna. Steps had already been taken to gain the cooperation of the court at Mannheim and dissuade it from further opposition. The offer of granting the County of Pleistein, to which the Palatinate had for long felt it possessed a valid claim, was one inducement offered. A 600,000 Gulden payment was also proposed along with the expectancy of Wildenau.<sup>39</sup>

None of these offers were accepted outright, and thus Vienna was forced to attempt other measures which were also known to Steinberg. He informed his ministry that early in 1764, Reichshofrat Franz de Paula Gundekar Colloredo (1731-1807)<sup>40</sup> had been sent to Prague to contact Prince Friedrich of Zweybruecken and instruct him to communicate with Mannheim. The prince, a trusted Habsburg supporter and in line for the Palatinate succession, was to dissuade Charles Theodore from participating any further in the dispute.<sup>41</sup> Precisely what Prince Friederich communicated is not known. However, when Steinberg wrote on 9 January 1764, and outlined the position of the



electors, the Palatinate's stance was uncertain.<sup>42</sup> Indeed, Steinberg makes no further mention of opposition from Mannheim; apparently Joseph would receive its support. It may not have been the intervention of the Habsburg supporter in Prague which brought about the change in position of the Palatinate court. A letter written by Frederick II of Prussia to Charles Theodore in 1763, imploring him to give his vote to Joseph, probably determined the degree to which opposition could be maintained and helped to hasten the assurance of casting a vote for Joseph.<sup>43</sup> By the early months of 1764 the offers made by Vienna to purchase the Palatinate's vote had already become unnecessary and were withdrawn. Only the work on the Wahlkapitulation could then provide Mannheim with the opportunity to make some gains.

Since the weak economic condition of the Rhenish electorate was common knowledge, it was expected that any proposal offering a possible increase in revenue would be welcomed. Consequently, when the question arose during the work on the electoral compact, whether imperial or local commissions of inquiry had jurisdiction in legal disputes of regional origin, the Palatinate sided with the choice of the local commissions.<sup>44</sup> The administration of justice could be a valuable source of income; this certainly influenced Mannheim's choice. But there were also political implications that were connected with this matter and linked them to the religious disputes that surfaced in the empire in the eighteenth century. In one of the most important documents included in the collection of diplomatic correspondence of the Hanoverian embassy--a document that Steinberg may have acquired from the same person who often provided him with private



information and one he did not send through the postal service for fear it might be intercepted<sup>45</sup>--this is quite clearly outlined.<sup>46</sup> To the Protestants, distrustful of imperial commissions and their objectivity, the local commissions would be better able to deal with disputes arising from rival religious camps in a given area.<sup>47</sup> Familiarity with the details of such cases would also hasten more appropriate decisions and would hinder the encroachment on Protestant rights. The imperial government, however, considered these suggestions illegal, contrary to the constitution, and uncertain in their claims of being more objective and therefore likely to be more binding. Their illegality was demonstrated by the terms of the Westphalian Peace and the Nuremberg Executionsordnung,<sup>48</sup> both of which specified the appropriate judicial bodies in religious disputes. In addition, any self-help (as the imperial government considered these local commissions to be) was strictly forbidden and had been held as such "for quite some time."<sup>49</sup> Furthermore, since local commissions were to comprise one member from each opposing party, unchallenged decisions would be as rare as objective ones.<sup>50</sup> The Palatinate, in the opinion of the imperial government, was treading on thin ice and could be dealt with without too much trouble.<sup>51</sup> Mannheim eventually dropped its support for the local commissions and accepted the Wahlkapitulation on the terms favoured by Vienna. Support for Joseph had been gained at little or no cost.

The Bavarian elector-duke held the same rank as the rulers residing in Dresden and Mannheim. In the concert of European states he perhaps outweighed the other two; Bavaria's strategic location ensured the elector of this degree of importance. It had been the



geo-political status which allowed Bavaria to achieve its rank by capitalizing on the Habsburg-Bourbon conflict. By allying themselves to the most powerful state in Europe during the second half of the seventeenth century, the Bavarian rulers strengthened their role as the most eligible Catholic alternatives to the Habsburgs in the empire. Then, in 1742, when the failure of the Pragmatic Sanction was assured, the court at Munich could score its most impressive victory by the election of Charles Albrecht to the imperial throne as Charles VII. It proved to be a victory bearing very little fruit. From 1742 to 1745 the emperor was incapable of exercising fully what few remaining powers were attached to that office and was even denied residence in his imperial city of Munich. Nowhere was he a figure that commanded much respect and it was universally believed that he was nothing more than a marionette operating under French directions. For their part the French themselves were not very confident in Charles Albrecht's abilities nor those of his ministers. On several occasions they noted that he would have been better served had he enlisted the services of the Austrian court.<sup>52</sup> The death of the unfortunate Bavarian emperor marked the beginning of the steady decline for this state. Attention had to be shifted away from ambitious foreign policies and directed towards internal reform. But the events of 1742 to 1745 had implications that were far more lasting than the brief glory attained by Charles Albrecht. So many dangerous precedents had been set as a result of the attempts to buy support for himself that all succeeding emperors had constantly to face the problem of undoing those previous actions.

The enmity held by Bavaria for Austria subsided noticeably after



1745 and particularly after 1756. In the matter of the election of a King of the Romans Elector Maximilian III Joseph (1727-1777) did very little to aggravate the court at Vienna. Since it was precisely then that negotiations were underway to bring about a matrimonial link by the marriage of Archduke Joseph to Maximilian's sister Josepha, this cooperation was somewhat predictable. By lending support to Joseph and denying any further claims to certain fiefs on the Bavarian-Bohemian border,<sup>53</sup> the marriage was completed. Although the acceptance of the two princely ambassadors to the electoral congress also evoked some negative response from Bavaria,<sup>54</sup> Steinberg could report as early as 9 January 1764, that the Bavarian ambassador was soon to leave for Frankfurt.<sup>55</sup> The implication of this expected departure verified the knowledge that Munich would vote for Joseph.

If the electors mentioned above had no real intention of hindering Vienna from achieving the election of the King of the Romans, the imperial government could not be certain that the Brandenburg house would not use some delaying tactics. No prince in the empire, and when one remembers the advice given Maria Theresa by Kaunitz after the War of the Austrian Succession, one could say all of Europe, was considered more dangerous than Frederick II. Military might had proven incapable of limiting this rival. More subtle means of achieving this had to be adopted after 1763.<sup>56</sup> In view of the role that Frederick II had played in the election of the Bavarian emperor and the attack on the House of Habsburg-Lorraine facilitated by that election, the fact that Frederick had agreed, in Hubertusburg, to lend Joseph his vote as King of the Romans was a real gain. Given



the previous record of Prussia in reneging on binding agreements, however, holding to that promise was by no means absolutely assured.

It was the opinion in Vienna that nothing would be easily gained from Frederick.<sup>57</sup> As the leading Protestant prince in the empire he had become the guardian for Protestant rights in the controversy generated by Charles Eugene in Wurttemberg and sought further assurances that such practises would not continue. These safeguards were sought through proposals forwarded by his representative at the electoral congress and were hopefully to be written into the Wahl-kapitulation. Though Frederick's vote may have been a certainty, his position regarding the electoral compact threatened to delay the election even longer and impose new and unwanted restrictions on the future emperor.

Sometime in early February, 1764, the emperor's ambassador in Berlin, General Joseph Heinrich von Ried, had been informed that Frederick was anxious to see clarification, in a legal and constitutional sense, of a number of matters relevant to the capitulation.<sup>58</sup> The articles of the compact dealing with the "ban of the empire" represented one such area. The events of the last war had demonstrated how the Catholic majority in the empire could be manipulated to declare Vienna's enemies outlawed and outside the guarantees offered by membership in the Reich. Changes would have been necessary to ensure that the Catholic majority could not determine such a decision merely to foster its own members' will. Furthermore, it would allow like sanctions to be levied against such men as Charles Eugene. As a further solution to the Wurttemberg controversy and the insecurity felt by many Protestant states the terms of the "Ryswick Clause" need-



ed alterations. The legal foundation partly supporting the encroachments on the rights of protestant majorities inside particular states had to be dissolved. This would then make the emperor's unwillingness to censure unconditionally such actions--as in the case of the Duke of Wurttemberg--less probable and explicable.

When the emperor then met with a number of imperial officials in the opening months of 1764 to discuss the imperial objectives for the Wahlkapitulation, Prussia's desires were also dealt with. Both were dismissed since they were deemed outside the jurisdiction of an electoral congress; changes in imperial law and the constitution could only be initiated by the whole Reich. To accomplish the alterations suggested by Prussia they would have to be finalized at the Reichstag.<sup>59</sup> Nothing so important was likely ever to be concluded in Regensburg. The validity of Vienna's counters was sound and implied that only an unwanted delay in completing the matter of the election of a King of the Romans could be expected by persistence in seeking clarification of the two points in the capitulation. This certainly contributed to Prussia's eventual acceptance of Joseph's electoral compact in a form almost identical to that of his father. The solution to the religious problems threatening Protestants in the empire embodied in the Wurttemberg conflict was pursued through the Reichshofrat after 1764.

A number of factors may have influenced the relative ease with which Vienna gained support from Prussia in the election of 1764. In addition to the knowledge that the Catholic electors were completely favourable to Vienna's candidate, the lack of support from Hanover --the most important Protestant power after Prussia--in demanding



changes to the capitulation aided in determining Prussia's position in the election. Equally significant was the general desire for peace in the empire. Frederick supported Joseph in 1764 because he did not recognize hostile motives such as had been evident in the proposed election of a King of the Romans in 1750. The necessity for peace that he himself felt after the many years of virtually uninterrupted warfare also demanded the establishment of a succession to the imperial throne. Hostility towards Austria was consciously avoided after 1763 in order to help consolidate the peace, and even the outbreak of a trade war with Austria in March of 1764 did little to alter the outcome of Joseph's election.<sup>60</sup>

Hanover shared the sentiments for peace that were displayed throughout the empire and these helped to convince the privy council of the need for an unbroken succession. Support for Joseph in 1764 could bring benefits of limited security by ensuring the peace of the empire. At the same time it could also be used as an indication of Hanover's friendly intentions towards the court in Vienna. Both considerations were most assuredly also prevalent in England. Vienna in its turn, would accept overtures of this kind. Cordial ties with Hanover (England) might provide the opportunity to concentrate on other matters.

The Hanoverian privy council was, however, by no means resigned to unconditional backing for the Austrian. It too identified the events in Wuertemberg as very grave and agreed with Prussia that the Wahlkapitulation could provide the means to a solution. When the electoral congress convened in Frankfurt a.M. in 1764, the Hanoverian special envoy, Ludwig Eberhard Freiherr von Gemmingen-



Hornberg, had been instructed to bring the matter up. He was not, however, to act in any way that would delay the election and fore-stall the inevitable.<sup>61</sup> Unlike Prussia, Hanover did not feel that the Wahlkapitulation was the only appropriate means of gaining justice for Protestant rights and was resigned not to be persistant in seeking the aims voiced by Berlin. Nevertheless, von Gemmingen, who was the regular ambassador to the Reichstag in Regensburg, was known for his sensitivity to the threats facing his co-religionists. He was critical of Vienna and quickly identified as a dangerous antagonist in the plans for a successful and hasty conclusion to Joseph's election. His actions created a marked uneasiness between Vienna and Hanover, causing Maria Theresa and Francis I to doubt the intentions of the Hanoverian government.<sup>62</sup> Ambassador Steinberg found himself in what he termed a "very difficult and uneasy situation" when the Prussian ambassador Baron von Rohde began to question him concerning von Gemmingen's actions while attending a reception at Marschall Battiany's residence late in 1763.<sup>63</sup> Steinberg's lack of specific instructions regarding his government's position prevent-ed him from offering any definitive response and would likely have done little to allay the displeasure of the imperial court for Hanover.<sup>64</sup> On 4 January 1764, the Hof-und Staatskanzler Prince Kaunitz approached Steinberg and personally notified him of the concern generated by von Gemmingen.<sup>65</sup> The Austrians did not con-sider the special envoy to be the best-suited individual for re-storing the traditional friendship between their two states. It was suggested that at the very least he should be instructed to withdraw his opposition to Vienna's desire to end the election as



soon as possible.<sup>66</sup> The English ambassador to Vienna was also made aware of Vienna's discontent, indicating both the seriousness of the matter and the close relationship of the Hanoverian and English embassies in the eyes of the emperor's court.<sup>67</sup>

Ambassador Steinberg had not been given adequate instructions concerning his government's position in the election. Throughout January Steinberg had to base his responses and actions on an outdated privy council Rescript dated December 23, 1763. In it he was merely told not to make any firm declarations about the election;<sup>68</sup> he could answer specific questions only in the most general terms. Since his government was waiting to see how the proposed changes to the Wahlkapitulation would be received in Vienna, the absence of concrete instructions regarding the election was somewhat understandable. Yet, nevertheless, this made the Hanoverian diplomat uneasy. He feared his credibility in Vienna, "where foreign and domestic ministers were in constant communication," would suffer if nothing were done to remedy the situation.<sup>69</sup> He remained ill-advised and seemingly was even made aware of new actions carried out by Hanoverian agents by the Imperial Vice Chancellor. Dispatches from imperial and Bohemian representatives in Frankfurt and Regensburg were, of course, at Colloredo's disposal. He then discussed some of the contents with Steinberg during personal meetings. It was in this way that the Hanoverian ambassador learned that Bartenstein had written near the end of January, 1764, to inform Colloredo of a meeting with von Gemmingen in Regensburg. The latter had assured Bartenstein of Hanover's friendship and immediately departed for Frankfurt to participate in the electoral congress.<sup>70</sup> That von



Gemmingen had withdrawn his objections indicates that the Hanoverian privy council had committed itself to the unobstructed completion of the election. Hence, in the opening days of February Steinberg told the Reichsvizekanzler that Hanover would abide by a per Maiora decision of the College of Electors.<sup>71</sup> This declaration, along with the news of the arrival of the second Hanoverian electoral ambassador in Frankfurt prior to the sitting of the first main session on March 3, convinced Vienna of cooperation from Brunswick-Luneberg.<sup>72</sup> The desire to see the solution to the religious turmoil that worried Protestants in the empire was not made a sine qua non of the election of a King of the Romans. Hanover certainly did not consider such a position as tenable and refrained from making any serious demands for alterations to the Wahlkapitulation. That the clause dealing with the fulfillment of the electorate's titular office and insignia was again written into the document apparently satisfied Hanoverian interests in the electoral capitulation.<sup>73</sup>

After the election and coronation were completed in March and April of 1764, Steinberg was informed by Colloredo that Maria Theresa had been pleased with the Hanoverian delegations' actions at Frankfurt and interpreted this as an indication of the willingness to reestablish cordial relations.<sup>74</sup> A month later Steinberg gained a personal audience with their Imperial Majesties and the King of the Romans before the imperial family departed for the Laxenburg summer palace. On the occasion he expressed his personal and official congratulations and accepted Maria Theresa's thanks. During the course of this rather special meeting,<sup>75</sup> promises were exchanged to undo what the Empress called the "Umstaende des leidigen Krieges,"<sup>76</sup>



and to work towards an even more favourable relationship between the two states. In what manner this was to be accomplished remained to be determined, but certainly both courts were in agreement as far as the nature of the declaration was concerned.

As has been shown, none of the electors was truly desirous of preventing or even seriously hindering the conclusion of Joseph's election as King of the Romans. Steinberg's correspondence illustrates characteristics of the policies of many of the other electors while those of his own government were not always easy to discern. But his reports also include a discussion of other issues; some related to the election and others not so closely tied to it. It should be noted that with the completion of the election in April 1764, his dispatches became much more irregular and infrequent. From May 1764 to June of the following year only five reports were received by the privy council.<sup>77</sup> Whether Steinberg's illness or that of his principal George III was the cause for the lack of correspondence is not altogether clear. No indications for the absence of reports were given by his temporary or permanent replacement either.<sup>78</sup>

Perhaps the most illuminating description preserved in Steinberg's correspondence besides the actual account of the election negotiations was of the preparations carried out in Vienna for Joseph's trip to Frankfurt for the Coronation. Preparations for a procession of this magnitude had to be undertaken far in advance of the actual date of departure. They demanded thought and consideration since they involved such an important show of status and of the crown as a symbol of respect and power. The distances involved in the journey, climatic conditions to be endured in late winter



or early spring, the protocol and ceremonial symbolism, and most assuredly the financial considerations, all contributed to the complexity of the preparations. It is easy to see, then, that Francis I and Maria Theresa were unwilling to alter quickly their arrangements and continued to press for the conclusion of the election at the earliest possible date.

At the beginning of 1764 Steinberg reported that the Bohemian and imperial representatives were already departing for Frankfurt. Baron Johann Christoph von Bartenstein and Count Egidius Borie left on January 1 and 2 respectively;<sup>79</sup> Prince Nicholas Joseph Esterhazy von Calantha left on January 6;<sup>80</sup> Count Johann Baptist Pergen had already been advised to go to the electoral city from Mainz. Prince Joseph Wenzel Liechtenstein, who along with Esterhazy was an imperial ambassador, was not to depart until the middle of January since poor weather conditions and impassable roads warranted his delay.<sup>81</sup> Their Imperial Majesties and Joseph were also desirous of following Liechtenstein, but because of the unlikelihood of an election being hastily completed decided to forestall until more definite news arrived. Steinberg himself predicted that an election before the end of April was very improbable and concluded that a departure would not occur prior to the end of March.<sup>82</sup> Continued fulfillment of plans was carried out, however, with the notion of leaving in early February. Joseph's baggage was sent at the beginning of that month, and it was said that the emperor and his son would soon follow.<sup>83</sup> By this time Maria Theresa had already decided not to accompany her husband and son. Nevertheless, preparations were still carried out and towards the end of February another baggage transport left Vienna accompanied



by a detachment of the Swiss and German Noble Guards.<sup>84</sup> It had become clear to certain ministers in Vienna that the delay in the election would mean that departure could only take place after Easter. One such official told Steinberg that any delay was costing the imperial court an extremely high figure (the amount of 1200 Ducats per day was mentioned),<sup>85</sup> and for this reason the imperial retinue was still hoping to leave before the middle of March. Steinberg learned that attempts made to dissuade the emperor from leaving before Easter had failed because Francis I was determined to hasten the election by travelling to the vicinity of Frankfurt in an effort to prompt its conclusion.<sup>86</sup> As it turned out the emperor and his two eldest sons left on the twelfth of March and reached Mergentheim, near Frankfurt, on March 29, two days after an unanimous vote had secured Joseph the crown of the King of the Romans.<sup>87</sup>

The estimated cost of the election and coronation, inclusive of all relevant expenses, was in the neighbourhood of 3,000,000 Gulden.<sup>88</sup> Steinberg had mentioned back in January that their Imperial Majesties would need no "extraordinary financial assistance," hence no need to worry about the rumours of a universal head tax, and allotted 2,000,000 Gulden from their own treasury to meet the costs.<sup>89</sup> In addition to these enormous sums, all the members of the imperial court honoured with an appointment as electoral ambassadors would also be expected to cover their own expenses. Baron von Bartenstein and Counts Pergen and Borie were to contribute in this manner, and so too were Count Esterhazy and Prince Liechtenstein. The latter two were certainly able to absorb the costs since they were members of the wealthiest families in the Habsburg lands. Steinberg estimated that their annual



income from their estates alone approached 400,000 Gulden.<sup>90</sup>

Certainly Joseph Wenzel Liechtenstein provided the equipage for the delivery of Isabella of Parma in 1760, and on that occasion so many carriages were used that three hundred reserve horses had to be kept at each stage of the procession.<sup>91</sup> Nicholas Joseph Esterhazy's wealth was no less magnificent since his family's holdings spanned entire provinces in Hungary. The immense sums necessary to conclude the election of the King of the Romans illustrates not only the degree to which ceremony and demonstrative gestures of imperial grandeur had to be carried out but also the restrictive nature of the highest office in the Reich. It is little wonder, then, that so few princes could ever have been considered eligible for the emperor's throne if the expenses accrued in 1764 are any indication of the normal costs.

One other matter that touched on the events leading up to the election and coronation was also mentioned by Steinberg. Specifically, this involved the rights of certain claimants to lead the imperial retinue on its way to Frankfurt. The bases for the individual claims rested on feudal law and demonstrated the continued importance of it as an element of the empire's constitution in the eighteenth century. It was already noted that the original route to be taken by the procession had been altered to prevent the Elector-duke of Bavaria from accompanying the emperor.<sup>92</sup> This was done to avoid any demonstration of preference for Bavaria's proposed marriage alliance but was also carried out so as not to complicate a dispute already underway between the Prince of Thurn-Taxis and the Duke of Paar. These two magnates were fighting one another for the right to



lead the emperor on his journey to Frankfurt. Both claimed the honour on the basis of their investiture with a particular fief or imperial office. The Prince of Thurn-Taxis was the Reichserbpostmeister, which according to this prince gave him the sole right to guide the emperor anywhere in the Reich. A number of members of the Reichshofrat were convinced of the legitimacy of his claim, citing article XXVII, paragraph 4, of the Wahlkapitulation, as well as several Judicata of the Imperial Aulic Council as evidence.<sup>93</sup> The Duke of Paar was Erbhofpostmeister and claimed the same honour. Paar and his supporters stated that these rights had been verified by an agreement with the Thurn-Taxis family sub auspiciis Caesariis in 1666, and by the possessionem non interruptem to the time of Charles VII.<sup>94</sup> Paar even attempted to have the matter decided by the College of Electors but failed. The final solution to this matter involving rights and privileges extended via investiture demonstrated the nature of the particular fiefs of either disputant. Paar, holding his office not as an imperial one but rather as one emanating from the imperial dynasty (J. J. Moser said that this office had once been an imperial fief but that it had lapsed)<sup>95</sup>, accompanied the emperor only to the border of the Habsburg lands. From there the Prince of Thurn-Taxis led the procession through the empire.<sup>96</sup> This particular dispute aptly characterized the legal and constitutional status of feudal law in the empire during the eighteenth century.

Although Steinberg only made this one brief mention of feudal relations, his successors in Vienna dealt almost exclusively with subjects of this type. The death of emperor Francis I in 1765



meant that all holders of imperial fiefs would have to seek reinvestiture. Just as the election of a King of the Romans was the preoccupation of the Hanoverian ambassador Steinberg, so too would the matter of imperial investiture capture the attention of the men who worked in the embassy after his death.



## FOOTNOTES TO CHAPTER II

<sup>1</sup>The Steinbergs had intermarried with a number of other important noble families and were distantly related to King George III of England.

<sup>2</sup>The position of Kammerauditor.

<sup>3</sup>On that tradition see Pribram, Staatsvertreage.

<sup>4</sup>He left Vienna in June of 1756.

<sup>5</sup>Staatsarchiv Hannover, Han. Des. 92, XXXVII A, No. I, 26 (hereafter Han. Des. 92), 13.

<sup>6</sup>Khevenhueller-Metsch, Tagebuch, VI, 84.

<sup>7</sup>Khevenhueller-Metsch himself noted Steinberg's death showing that the Hanoverian was considered a notable figure in Vienna. See Tagebuch, VI, 99.

<sup>8</sup>E. Guglia, Maria Theresia; Ihr Leben und Werk (hereafter Maria Theresia, Munich, Oldenburg, 1917), II, 97-105.

<sup>9</sup>Ibid., II, 103-105.

<sup>10</sup>Arneth, Maria Theresa, VII, 70-71.

<sup>11</sup>Ibid.

<sup>12</sup>Han. Des. 92, 1-103, passim.

<sup>13</sup>Arneth, Maria Theresa, VII, 70-71.

<sup>14</sup>Although the events which led to the Bavarian emperor climaxed a long period of strained relations with the ecclesiastical electors, especially Mainz and Cologne, there had been a definite rapprochement after 1745. See K.O. von Aretin, Der Kurfuerst von Mainz und die Kreisassoziationen 1648-1746, (hereafter Kreisassoziationen; Aalen, Steiner, 1975), for more on this aspect.

<sup>15</sup>Han. Des. 92, 1-103, passim.



## 'FOOTNOTES TO CHAPTER II - continued

<sup>16</sup> H. Liebel-Weckowicz, "The Election of Joseph II and the Challenge to Imperial Unity in Germany 1763-1764," (hereafter Election; paper presented to the Canadian Historical Association, Saskatoon, Sask., June, 1979), 21. See also revised edition, Canadian Journal of History, vol. XV, No. 3, December, 1980.

<sup>17</sup> See again Liebel-Weckowicz, "Election."

<sup>18</sup> Han. Des. 92, 8 February, 1764, 48.

<sup>19</sup> Arneth, Maria Theresa, VII, 305.

<sup>20</sup> See J.J. Moser, "Reflections ueber die dermalige hohe Candidaten der Roemischen Kaiser-Wuerde," Johann Jacob Moser: Pietismus und Reform, R. Ruerup (Wiesbaden, Steiner, 1965), appendix.

<sup>21</sup> The role assumed by Herkommen can be read not only in contemporary eighteenth century works but also in modern studies. See especially works by Moser, Puettner, Aretin, Hoffmann, and Hartung.

<sup>22</sup> Han. Des. 92, 9 January, 1764, 48.

<sup>23</sup> Ibid., 21 January, 1764, 16.

<sup>24</sup> Ibid.

<sup>25</sup> Ibid., 16-17.

<sup>26</sup> Liebel-Weckowicz, "Election," 13-15.

<sup>27</sup> Han. Des. 92, 9 January, 1764, 7.

<sup>28</sup> Also Bohemian Chancellor.

<sup>29</sup> Han. Des. 92, 22 February, 1764, 51. The significance of this suggestion lay in Vienna's desire to negotiate with the electors singularly and thereby circumvent any coalitions.

<sup>30</sup> Ibid.

<sup>31</sup> Han. Des. 92, Wahlgutachten, 89.



## FOOTNOTES TO CHAPTER II - continued

<sup>32</sup> See Aretin, Kreisassoziationen and Holborn, History of Modern Germany, 50.

<sup>33</sup> Holborn, History of Modern Germany, 50.

<sup>34</sup> Ibid., 98.

<sup>35</sup> Ibid., 204.

<sup>36</sup> See below chapter III.

<sup>37</sup> See below this chapter.

<sup>38</sup> Arneth, Maria Theresa, VII, 72-73, for more on Prussia's role here.

<sup>39</sup> Ibid.

<sup>40</sup> Eldest son of Imperial Vice Chancellor Rudolf von Colloredo.

<sup>41</sup> Han. Des. 92, 4 January, 1764, 4.

<sup>42</sup> Ibid., 9 January, 1764, 7.

<sup>43</sup> Arneth, Maria Theresa, VII, 78-79.

<sup>44</sup> Ibid., 80, says Prussia first raised this matter.

<sup>45</sup> Han. Des. 92, 17 March, 1764, 74-75.

<sup>46</sup> Ibid.

<sup>47</sup> Ibid., 75.

<sup>48</sup> Ibid., 75-76.

<sup>49</sup> Ibid., 78-79.

<sup>50</sup> Ibid., 77.



## FOOTNOTES TO CHAPTER II - continued

<sup>51</sup> Ibid., 79.

<sup>52</sup> F. Wagner, Kaiser Karl VII und die Grossen Maechte 1740-1745 (hereafter Kaiser Karl VII; Stuttgart, Kohlhammer, 1936), 25.

<sup>53</sup> Liebel-Weckowicz, "Election," 17.

<sup>54</sup> Han. Des. 92, 4 January, 1764, 3-4; also, 9 January, 1764, 7.

<sup>55</sup> Ibid., 8.

<sup>56</sup> See Chapter I above.

<sup>57</sup> Arneth, Maria Theresa, VII, 72.

<sup>58</sup> Han. Des. 92, 24 February, 1764, 59.

<sup>59</sup> So too would the changes to the Peace of Ryswick have to be undertaken in the Reichstag.

<sup>60</sup> Liebel-Weckowicz, "Modernisierungsmotive in der Freihandelspolitik Maria Theresias," Maria Theresia und ihre Zeit (Salzburg and Vienna, Residenz, 1979), 153.

<sup>61</sup> Liebel-Weckowicz, "Election," 29.

<sup>62</sup> Han. Des. 92, 4 January, 1764, 2-4 and 6.

<sup>63</sup> Ibid., 6.

<sup>64</sup> Such vindications were normal procedure easily identified as evasive answers.

<sup>65</sup> Han. Des. 92, 4 January, 1764, 2.

<sup>66</sup> Ibid.

<sup>67</sup> Steinberg reported that Mylord Stormont would very probably make similar mention of the prevalent opinion held of Hanover in Vienna. Han. Des. 92, 4 January, 1764, 3.



## FOOTNOTES TO CHAPTER II - continued

<sup>68</sup> A new Rescript of January 18, 1764, included no new formulas for Steinberg to adhere to regarding the election.

<sup>69</sup> Han. Des. 92, 4 February, 1764, 45-46.

<sup>70</sup> Ibid., 14 January, 1764, 14.

<sup>71</sup> Ibid., 4 February, 1764, 44.

<sup>72</sup> Ibid., 45.

<sup>73</sup> Ibid., Wahlgutachten, also mentions the probability that Hanover would be satisfied with such changes.

<sup>74</sup> Ibid., 2 May, 1764, 93-94.

<sup>75</sup> Steinberg noted that his audience with Maria Theresa lasted over fifteen minutes; the reference to the exact time is instructive since it indicates that meetings were usually quite brief when held with the imperial family and that the length spent in conversation on this occasion was worthy of special mention. See Han. Des. 92, 6 June, 1764, 99.

<sup>76</sup> Ibid., 98.

<sup>77</sup> The dates of those five reports are: May 2 and 16, June 6, July 14, December 22, 1764. Han. Des. 92, 99-103.

<sup>78</sup> Ibid., 99-103.

<sup>79</sup> Ibid., 4 January, 1764, 4-7.

<sup>80</sup> Ibid.

<sup>81</sup> Ibid., 14 January, 1764, 13.

<sup>82</sup> Ibid., 9 January, 1764, 10.

<sup>83</sup> Ibid., 4 February, 1764, 47.

<sup>84</sup> Ibid., 22 February, 1764, 50.



## FOOTNOTES TO CHAPTER II - continued

<sup>85</sup> Ibid.

<sup>86</sup> Ibid., 4 March, 1764, 62.

<sup>87</sup> Arneth, Maria Theresa, VII, 83.

<sup>88</sup> Ibid.

<sup>89</sup> Han. Des. 92, 9 January, 1764, 10.

<sup>90</sup> Ibid.

<sup>91</sup> Arneth, Maria Theresa, VI, 189.

<sup>92</sup> Han. Des. 92, 21 January, 1764, 17.

<sup>93</sup> Ibid.

<sup>94</sup> Ibid., 17-18.

<sup>95</sup> J.J. Moser, Neues Teutsches Staatsrecht (hereafter Staatsrecht; Frankfurt, Mezler, 1766-1784), IX, 163.

<sup>96</sup> Ibid., II, 463-474.



### CHAPTER III

#### HANOVER AND IMPERIAL INVESTITURE; THE ROLE OF FEUDAL LAW IN THE REICHSVERFASSUNG

The role of feudal law in the empire during the eighteenth century was somewhat enigmatic. Unquestionably it was substantially dissimilar to the feudalism prevalent during the Middle Ages. The rise of the territorial state had superseded the need or desire to maintain the close personal bonds between lord and vassal that classical feudalism embodied. Feudalism in the empire had lost its functional and real power in the sixteenth century,<sup>1</sup> and during the eighteenth it became a rarity for any important temporal ruler to receive investiture.<sup>2</sup> The reign of the Wittelsbach emperor had weakened the status of feudal law and investiture;<sup>3</sup> he had sought to regulate the procedure for the highest type of imperial fief more than the Peace of Westphalia had stipulated. In part Charles VII's aim was to grant certain privileges to gain votes for his election as emperor.<sup>4</sup> The same characteristics of decline evident in much of the Reich's structure were noticeable in imperial investiture as well.

If the emperor's rights as overlord in the empire had been restricted in 1648, they nevertheless remained significant to the very end of the Reich in 1806.<sup>5</sup> J.J. Moser fittingly summarized the opinion of many contemporary jurists and statesmen by describing the role envisaged for feudal law:



Die Lehensverfassung ist allemal ein wichtiges Stueck der Staats- und Landsverfassung eines geist- oder weltliches Landes; dahero das, was dahin einschlaeget, allerdings auch mit in das Staatsrecht gehoeret.<sup>6</sup>

The empire still functioned under the legal and social structure of hierarchy and ordained rank,<sup>7</sup> and for the bulk of the minor Reichsstaende it was the operative scheme that assured their continued existence. Even many of the electors realized the validity of it in certain respects; Hanover was included in that group. From the emperor's point of view it was important as one of the few remaining indications of imperial power, offering minimal opportunities to exercise control over members of the Reich. The income from fees and taxes assessed on various types of fiefs, which were demanded to cover chancery expenses, were not entirely inconsequential either.<sup>8</sup> They probably provided the emperor with one of the few remaining sources of income not derived solely from his dynastic holdings. But it was not the economic factors which dictated the wish to maintain feudal law and imperial investiture. Rather, it was to preserve the foundation of the legal bonds which linked emperor and estates. The important distinctions, in both a legal and constitutional sense, were first outlined by the terms of investiture and the transfer of rights, privileges, and other perquisites attached to a particular fief. The lawful possession of imperial fiefs was dependent on investiture. This in its turn directly affected the relationship of the imperial vassal with the subvassal. Again, Moser best summarizes the eighteenth century perception of investiture:



Doch ist auch die Belehnung keine blosse Ceremonie... Sondern ein feyerliches Zeugniss und resp. Bekenntniss dass die Lehen selbst, mit allen ihren Gerechtsamen, von dem Kaiser und Reich an den Vassalen gekommen, auch kein voelliges Eigenthum des Vasallen, sondern gleich allen anderen Lehen, dem Kaiser und Reich mit einen besonderen Verbindlichkeit ... verhaftet seyen.<sup>9</sup>

Moser's definition was also indicative of the role that imperial investiture was meant to play in the opinion of Joseph II. His Deliberanda of 1766 included definite references to the strengthening of his powers as overlord (Ueberherr).<sup>10</sup> Even Kaunitz, unenthusiastic about the potential of the Reich and Joseph's program for revitalizing the imperial throne, was aware of the significance of investiture and feudal ties.

Ueberhaupt ist gewiss und unwidersprechlich, dass die wesentlichste Band zwischen Haupt und Gliedern und ganzen Reichsverfassung auf der Lehensempfangung und dem zu leistenden Juramento fidei lat - at i s beruhe.<sup>11</sup>

Investiture remained a focus of attention to the imperial government even though the emperor's power had also been trimmed in this facet of his authority. To a great many of the imperial estates it was equally important since it sanctioned their right of possession and their right to rule. Disputes concerning investiture could still result in serious confrontations even in the eighteenth century.<sup>12</sup>

That the work of the Hanoverian embassy in Vienna centered on imperial investiture shows that it was still of concern to even the most influential members of the empire. The correspondence provides a first-hand record of the negotiations and various positions of the interested parties involved in this facet of the empire's existence during the period under scrutiny.



Georg Friedrich Steinberg's replacement meant that his successor had already been chosen prior to his death in 1765. At that time the matter of imperial investiture had not yet arisen and the functions of the Hanoverian embassy could effectively be carried out by the remaining personnel. However, the death of Francis I in August of 1765 and the succession of Joseph II signalled the beginning of procedures leading to investiture of all fiefs held from the empire. It brought about a marked increase in the tempo of diplomatic activities. But the performance of the required steps to gain investiture was much more strictly regulated by law and precedent than the events surrounding the election of a King of the Romans. This meant that minor officials in both the electoral government and the imperial one were more actively involved in the negotiations. It is not surprising, then, that the overwhelming majority of dispatches from 1766 to 1772 were not the work of the ambassador but rather of the embassy's legal secretary or Legationsrath. It would have been extraordinary had the new Hanoverian ambassador, Johann Ludwig von Wallmoden (1736-1811), carried out the bulk of the intricate legal research involved in arranging investiture.

Wallmoden's social standing rendered him eligible for all higher offices and consequently excused him from the need to carry out functions performed by his subordinates. His parentage was distinguished although a controversy existed about the identity of his father. It was uncertain whether he was the son of Adam Gottlieb von Wallmoden, or the offspring of an amorous liaison between his mother Amalie Sophie von Wendt (later the Duchess of Yarmouth)



and George II. Johann Ludwig von Wallmoden was the legalized son of George II and Lady Yarmouth and did indeed resemble the second of England's Hanoverian monarchs. Court Chamberlain Khevenhueller, the source of so many obscure bits of information about personages at the court in Vienna, made distinct remarks about von Wallmoden's appearance following the new ambassador's first audience with Maria Theresa and Joseph II.<sup>13</sup>

Er ist ein Sohn der bekannten unlaengst verstorbenen Maitresse Koenigs Georg II, mylady Yarmouth, und sihet disem letzteren gar zu gleich, um nicht zu supconniren, dass er vill mehr un enfant de l'amour que de l'hymen sein doerffte.<sup>14</sup>

Wallmoden had been reared at St. James<sup>15</sup> and given the military education so frequently the trademark of noblemen in early modern Europe. As with Steinberg, Wallmoden too had been involved in various official capacities prior to arriving in Vienna. He had begun to gain these posts at an even younger age than his predecessor, assuming the role of a Domherr at Lubeck at the age of fifteen.<sup>16</sup> A graduate of Goettingen, his diplomatic training was received at Bonn, Mainz, Mannheim, and then Munich in 1757.<sup>17</sup> During the Seven Years' War he also spent a great deal of time as a divisional commander under Duke Ferdinand of Brunswick.<sup>18</sup> From the time of his transfer to Vienna, until 1772, when he was recalled to fill a military position in the electoral government, he was Hanoverian ambassador to the imperial court. Interestingly, many years later von Wallmoden and his son both performed various military duties for Austria during the Napoleonic wars.<sup>19</sup> His residence in Vienna came at a time when his abilities as an ambassador did not merely involve carrying out the ongoing business of the embassy or the specialized legal matters



occupying the remaining staff. He attended receptions, banquets and other formal gatherings where his presence was both a sign of respect and a requirement of court etiquette. In the period from 1766 to 1772 he contributed surprisingly little in the way of correspondence in his official capacity. After his first audience in November, 1766, von Wallmoden reported regularly until July of 1767.<sup>20</sup> In that time he concerned himself with setting in motion the initial steps towards investiture that were suggested by the Hanoverian privy council. A seven month absence of dispatches was then followed by another period of written correspondence. However, from the spring of 1769 to February 1772 not a single "relation" was filed by the ambassador.<sup>21</sup> By that time the matter of investiture was already far enough advanced, so that the under-secretary could effectively deal with the business at hand.

The second position in the Hanoverian embassy in Vienna at that time was held by Legationsrath Christoph Christian von der Muehl.<sup>22</sup> He was responsible for mastering the intricate legal knowledge required in the negotiations linked to imperial investiture for Hanover. In an age dominated by great noblemen, wealthy merchants, or an intellectual and cultural elite, not enough information exists about this individual and his unheralded governmental rank. However, the services he performed in Vienna made him an integral part of the ambassadorial machinery. Most probably educated and vocationally trained at Goettingen, von der Muehl was qualified to assume a post in the bureaucracy. Limited in the opportunity for advancement, Muehl could at least expect to become a member of the "learned bank" in an advisory position to some minister.<sup>23</sup> His duties as embassy



secretary were certainly in this mold, though embassies were by no means key ministerial posts. His primary duties included the editing and writing of the ambassador's correspondence (in matters not considered privy), the supervision of other embassy or household staff, and the representation of Hanover when dealing with various imperial institutions or officers. The Legationsrath also supplied the embassy with the continuity during changes of personnel or on the occasions when the resident ambassador was unable to perform his duties. It was von der Muehl who did precisely this when Steinberg died; only he sent the relations for the period from December, 1765 to November, 1766.<sup>24</sup> Even during the period when von Wallmoden was ambassador, von der Muehl continued to play a central role in Hanover's relations with Vienna. He was allowed much leverage in the negotiations dealing with investiture although the general guidelines he was expected to follow were repeatedly sent by the privy council. His dispatches greatly aid our understanding of Hanover's position regarding imperial investiture and also the entire question of the significance of this element of the Reich's development in the eighteenth century. Too little is known about von der Muehl, however, and only the accusations of breach of conduct and the implication of disloyalty levelled against him by the privy council (when negotiations reached an impasse) reveal that he had already been a member of government for twenty years.<sup>25</sup>

The reports of ambassador von Wallmoden and legal secretary von der Muehl provide another indication of the degree to which the Archbishop-electors of Mainz, Cologne, and Trier were anxious to maintain the imperial status quo. Just as the positions they held



during the election of Joseph as King of the Romans demonstrated a desire to ensure the continuity under the common veil of the empire, so too were similar indications given in the matter of imperial investiture. Indeed, the position of feudal law within the constitution of the Reich was necessary of maintenance according to these elected heads of state. They would have been particularly vulnerable to incursions from more powerful neighbors by the extension of private state ownership of imperial fiefs and the elimination of the collective security afforded by merely enjoying usufruct of their lands. Yet even these electors could not afford to overlook the position that their secular counterparts took regarding investiture since their own position was relevant to that of the other electors and imperial estates. Therefore, they were just as reluctant to fulfill this requirement of imperial feudal law when it became evident that none of the other electors were likely to do so.

The negotiations that were carried out after the death of Francis I and the succession of Joseph II in 1765 between Vienna and the Archbishop-electors would suggest that they were willing to take investiture along the lines outlined by the imperial court. Cologne was reported to have been the first to forward the Lehensmuthung,<sup>26</sup> the formal document outlining claims to a fief. Mainz and Trier followed shortly afterwards. But since Vienna was still dealing with the temporal electors and unwilling to proceed with investiture until the terms had been settled for all, the three ecclesiastical courts received the expected grant of the Indult. The Indult was basically a dispensation which constituted an agreement in principle between the lord and his vassal recognizing



that investiture would take place at a later date. In other words there was dispensation of an immediate investiture. However, fulfillment of the constitutionally ordained feudal obligations had become anachronistic; by the eighteenth century, investiture had become a rarity. The electors were willing only to pay lip service to feudal requirements. For this reason the Indult became significant because it was a recognition of obligations, but only a vague declaration of the intention to carry them out at a future date. The Indult had lost its characteristics of a special grant issued as an intermediate step and by the validity of Herkommen (custom) had become an accepted part of the feudal constitution (Lehensverfassung). Yet at the time of Joseph II's succession Vienna demonstrated a renewed interest in revitalizing investiture and showed a reluctance to be satisfied with this measure alone. The negotiations with Hanover clearly indicate Vienna's desire to carry the ceremony to its conclusion. The imperial court was not so insistent in its demands regarding the Indult and the ecclesiastical electors and von Wallmoden could still report with confidence that negotiations between Vienna and the archbishops had reached the point where all were certain to take investiture.<sup>27</sup> If the intention was obvious early on, the obstacles that prevented the temporal electors from taking investiture were sufficient to stall the spiritual counterparts from gaining it too.

In spite of the difficulties surrounding the terms under which the worldly electors would have considered investiture acceptable, Mainz, Cologne, and Trier continued to express their desire to proceed with the established ceremony. Indeed, the representatives



of these courts acted in concert with Vienna and actually attempted to persuade the other electors of the validity of investiture and the importance Vienna attached to this matter. The archbishop-elector of Mainz even wrote to the Saxon court "informing" it of its promise to seek and gain investiture--a promise Dresden was to have made during the election of the King of the Romans.<sup>28</sup> As early as April of 1768 von Wallmoden was writing his government that Mainz's representative Graf Franz von Metternich (who was also representing Trier from June of 1768)<sup>29</sup> could not be given firm answers about Hanover's position in this issue.<sup>30</sup> Although Metternich claimed that he wished to know Hanover's stance only because his principals wished to act in accordance with it,<sup>31</sup> both von Wallmoden and von der Muehl were deliberately vague when talking to him. Wallmoden realized that the ecclesiastical electors were openly espousing and supporting Vienna's policy in investiture and that Metternich himself was especially cooperative with the imperial court.

Man kann ihm auch nicht anders als wie einen Kaiserlichen Bedienten ansehen, indem ich gantz gewiss weiss dass seine Absichten blos auf hiesige Poste gehen.<sup>32</sup>

The attempts by Vienna to gain further information about Hanover's position were not successful in spite of this rather transparent subterfuge; at any rate Hanover wished to make no firm commitments before understanding the terms that the other courts were bargaining for. Although the electors of Mainz, Cologne, and Trier still expressed a determined wish to gain investiture well into the 1770's,<sup>33</sup> their power to influence the other Kurfuersten was in the matter of investiture as minimal in the matter of investiture



as it was in most issues that touched on concerns relevant to the temporal electors.

If the imperial court was to be successful in reestablishing imperial investiture as an actual requirement of all fief holders in the empire and as an act of recognition of the emperor's position as over-lord, then it was crucial that the temporal courts be persuaded to fulfill their feudal obligations. Within their ranks it was recognized that certain courts were more recalcitrant and less desirous of maintaining that vestige of imperial power. To apply pressure to the more difficult electors, Vienna could attempt a number of less troublesome members. It was with this in mind that Vienna negotiated with Saxony, Bavaria, and the Palatinate. Equally, the course of those talks was of interest to the other electors--especially Hanover and Prussia--who would have to alter their respective positions according to the terms reached with those states.

Saxony, Bavaria, and the Palatinate all presented the imperial court with their Lehensmuthung within the specified period. Difficulties arose, however, in the agreement over the specific terms under which investiture would be taken.

In the case of Saxony, the Lehensmuthung was presented by the ambassadorial staff in the name of the regency government acting for the minor Frederick August III. If Vienna was willing to accept the document because of the minority of the elector,<sup>34</sup> it was based on the belief that the regency would be willing to carry out further negotiations as well. The hopes for proceeding in the discussion with Dresden were quickly dashed when the Saxon ambassad-



or informed the imperial ministry that the regency was unable to do anything more until Frederick August III had attained his majority.<sup>35</sup> This was obviously a tactic to force Vienna into making its position known, thereby, allowing Dresden to offer nothing too generous or compliant with Vienna's wishes,<sup>36</sup> nor to proceed along grounds that the other temporal courts would be unlikely to follow. When Saxony then notified Vienna that it was intent on acting in unison with Bavaria and the court at Mannheim concerning investiture,<sup>37</sup> it further excused itself from making any move towards reaching agreement over investiture. The Saxon statement echoed similar tones issued previously by the Bavarian representative<sup>38</sup> and the Palatinate's ambassador.<sup>39</sup> The admission of collusion meant that Vienna would be faced by the prospect of having to satisfy all three courts before gaining agreement with any. Since unanimity among the three partners themselves was by no means an easy task, the concert no doubt increased Vienna's concern. Certainly the relative friendship and willingness to seek investiture expected from Bavaria could, therefore, be seriously hampered by the position of a somewhat more hostile partner. The concert's existence also opened the door even wider for any interference from Brandenburg-Prussia and Hanover; interference that is strongly suggested by the Hanoverian correspondence. Consequently, the concert of the three courts threatened to seriously retard the fulfillment of investiture from any quarter. The fact that neither Hanover nor Brandenburg-Prussia had joined the association meant that it could still be controlled and, given the traditional jealousies, perhaps dismembered entirely. Nevertheless, Vienna



continued to negotiate with all of the members of the concert and pressed for definite conclusion of their feudal obligations.

Vienna's belief that the concert of Bavaria, the Palatinate and Saxony was not entirely disastrous for the plans touching imperial investiture soon proved to be accurate. The rivalries that were noted may have been a factor. Even more influential, however, were the difficulties involved in the negotiations between Vienna and Brandenburg-Prussia and Hanover. These tended to suggest that investiture might be impossible to conclude along lines set out by the emperor and his officials. Throughout 1769 the imperial court continued to press for concrete responses from Mannheim, Munich, and Dresden concerning their terms for investiture. By the end of that year imperial officials were able to report a detectable change in attitude to the Hanoverian embassy.<sup>40</sup> Muehl himself was aware that the Bavarian ambassador had been instructed to inform Vienna that a definite statement about the matter would be issued shortly,<sup>41</sup> and in April of 1770 Munich declared that it would take investiture on traditional terms.<sup>42</sup> Imperial officials could then remark to Muehl that similar statements were likely to be forthcoming from Saxony and the Palatinate.<sup>43</sup> At the end of May, 1770, Saxony finally agreed to take investiture;<sup>44</sup> in September of the same year the expected declaration of similar intention was also received from Mannheim.<sup>45</sup> All three temporal courts were willing to fulfill their promises under the established ceremonial procedures, thereby enhancing the success of negotiations from the perspective of the imperial court. What this meant was that six electors had already declared a willing-



ness to accept investiture according to the traditionally established ceremonial procedure. Vienna could, therefore, cite these intentions as inducements to the two remaining temporal electors to follow suit, without being persistent in their demands for change in the ceremony itself. Vienna realized that the entire matter of imperial investiture ultimately rested on the negotiations between the imperial court and Prussia and Hanover. For until it was determined that the two most powerful electors would comply with investiture, and equally important under what conditions it would take place, not one of the courts already committed would take the first step. Indeed, success depended on the participation of the two north German princes far more than the other electors combined. The greatest barriers facing Vienna had yet to be overcome.

The Prussian state under Frederick II was, in the matter of imperial investiture, far more difficult to please and more demanding than the electors discussed above. Although the open hostility towards Vienna had subsided noticeably since 1763, Frederick was by no means committed to allowing Vienna the opportunity to revitalize the imperial office. The negotiations involved in the election of the King of the Romans--especially the wish to see the articles of the Wahlkapitulation dealing with "the ban of the empire" altered--already demonstrated that Prussia maintained a vigilant posture regarding the powers of the emperor. Consequently, Vienna's motives for reestablishing investiture did not escape Frederick's watchful eye. Ideally, he would have preferred to eliminate imperial investiture altogether, thereby removing further vestiges of dependence on Kaiser und Reich that were inherent in



the necessity of enforcement in a legally and constitutionally ordained way. Therefore, Prussia's state development and fulfillment as the sole resting place for the ius publicum was theoretically still held in the intermediate position that feudalism regulated; the state embodied the legal existence and will of its subjects but was itself only finally sanctioned through the act of investiture. Furthermore, that Frederick's state included territories outside of the empire's jurisdiction did little to lessen the implications of the ties to the Reich. His efforts to eliminate the differences between the constituent parts of his state and bring them into line with the operations of a unified centralist state could only be hampered by the continuation of those very incongruities. The actions of the Prussian court, as reported by the Hanoverian embassy, demonstrate how the requirements for gaining investiture were interpreted by Berlin. They show a concerted effort to negate the implications of dependence on the emperor and empire. Subsequently, those interpretations also had immediate repercussions on the negotiations between Vienna and the other electors.

Already in the presentation of the Lehensmuthung, or Lehensgesinnungsschreiben, as it was also called, Berlin indicated that it would not willingly abide by the traditional method of gaining investiture. The Prussian Muthung was forwarded by the ambassador in Vienna, Baron Jakob Friederich von Rohde, over his own signature, and not, as prescribed, merely as an intermediate presenting his principal's personal declaration of intent.<sup>46</sup> It was more than a possibility, therefore, that the RHR, responsible for assessing the legality of the Muthung would not act upon this presentation.<sup>47</sup> The



argument of the Prussian ambassador that he was able to make the declaration himself on the basis of his special royally decreed ambassadorial rank, had little effect in convincing the imperial court of its acceptability. Within one month the Prussian Muthung was returned to Baron von Rohde by an official of the RHR who made it quite clear that it had been rejected because of its improper quality.<sup>48</sup> For the next three months von Rohde insisted that his court would not make any new Muthung since it was considered a requirement already fulfilled.<sup>49</sup> In Vienna, the Imperial Vice Chancellor Colloredo stressed the illegality of Baron von Rohde's declaration, and so too did Vienna's ambassador in Berlin, General Nugent, voice similar notions directly to Frederick II.<sup>50</sup> Vienna wanted to maintain the established method of presenting the Muthung since it maintained the personal nature of ties between the vassal and the emperor. Eventually the Prussian court granted that the Muthung could be made along more proper lines without necessarily jeopardizing the policy towards investiture in general. Consequently, von Rohde presented a new document to the RHR president, and to justify this retreat stated that it was carried out only as a means of assuring the other electors that his court did not wish to hamper the investiture for them.<sup>51</sup> In contradiction to von Rohde's statement to von Wallmoden, who had been told that Prussia was in no way obligated to follow the examples of the other electors,<sup>52</sup> the issuing of the new Muthung was perhaps the result of negotiations between Vienna and the other electors.

But the Muthung itself was merely the notification of intent to take investiture and had to be followed by the fulfillment of a number



of successive steps still negotiable. Economic considerations were not as relevant to Prussia as they were with some other courts seeking investiture, but the actual ceremony was a significant symbol of legal and ideological restrictions on the state. Brandenburg-Prussia was desirous of bringing about alterations to the ceremony of investiture that would eliminate some of these hindrances, and could rely on rather imprecise definition of Herkommen (precedent) to forward a number of proposed changes.

As with so many facets of the empire's development in this period, the precedents established by the Bavarian emperor Charles VII were of essential importance. It was on the basis of the manner that the Muthung was presented at the time when Charles Albrecht reigned that von Rohde justified his original declaration; so too were the demands concerning the other requirements of investiture. When Baron von Rohde suggested, after the new Muthung had been verified, that Frederick would only consider investiture in Cabinet and not oeffentlich,<sup>53</sup> it was viewed as an attempt to relegate the act to one of mere legal formality. Colloredo replied simply that he would "mention" von Rohde's statement to the emperor, but clearly Vienna could not afford to make this concession outright. To do so would have been to undermine negotiations with the other electors. Even more important it would have granted validity to actions carried out during the reign of Charles VII and paved the way for countless other claims made on this basis, and Vienna repeatedly refused to accept any precedents set in the period from 1742 to 1745. Investiture negotiations between Vienna and Berlin were thus stalled by this position taken in March of 1768



and remained deadlocked for well over a year.

It was not until the summer of 1769 that the Hanoverian embassy could report on any new developments concerning the talks involving the imperial court and that of Brandenburg-Prussia. At that juncture von Rohde made a new and somewhat definitive statement. He formally notified Vice Chancellor Colloredo in August that his court would only consider taking investiture in the "Austrian" manner,<sup>54</sup> which did not embody implications of dependence or inferiority to the emperor that the ceremony for the other electors did. In September he emphasized that investiture was acceptable only in Retirade (i.e. seated and behind closed doors).<sup>55</sup> This demand was reiterated when Baron von Rohde presented Colloredo with his court's full set of demands. The Imperial Vice Chancellor was told that Brandenburg-Prussia wanted investiture if: (1) kneeling was eliminated unconditionally from the act of investiture; (2) that no "excuse" had to be submitted by the ambassador taking investiture in the name of his principal; and, (3) that the act had to take place in Retirade.<sup>56</sup> Clearly, Brandenburg-Prussia was hoping to make investiture and feudal requirements a mere legal formality and not the symbolic expression of suzerain dependence on Kaiser und Reich. Nevertheless, the demands that von Rohde made were sufficient to prevent other electors from taking investiture in any form. They were not to commit themselves prior to understanding the response of Vienna to Brandenburg-Prussia's demands.

Brandenburg's reliance on precedents set during the reign of Charles VII to support their demands were rejected on all fronts by Vienna. Colloredo told the Prussian ambassador that to base demands



on such foundations was untenable. The Muthung could not be accepted on those grounds and neither could the demands concerning the other features of investiture. Colloredo notified von Rohde that the manner in which Brandenburg undertook its investiture during the reign of Charles VII, had been permitted then only because of an agreement between the foreign minister of Charles VII, Count Ignaz Felix Toerring (1682-1763), and Frederick II's foreign policy advisor and peace negotiator Count Heinrich Podewils (1695-1760).

It was an agreement between two individual states and not one sanctioned by the Reichstag.<sup>57</sup> Therefore, it carried no weight in matters touching on the Reichsverfassung. Furthermore, the validity of all agreements and precedents established by Charles VII were not necessarily binding on his successors.<sup>58</sup> Nevertheless, Colloredo was still willing to reach a compromise. He suggested to von Rohde that the elimination of kneeling and the need for the ambassador to "excuse" his principal at the time of investiture were still negotiable. Other courts had also raised the matter of kneeling which may have influenced the imperial position concerning this requirement. The matter of Retirade could not be considered.<sup>59</sup> General Nugent in Berlin reiterated this,<sup>60</sup> and, shortly before departing from Berlin in June of 1770, added that Vienna had made as many concessions as possible and was in no way pleased about bringing in differences between electors; the latter matter--Retirade--was at any rate contrary to the constitution and could not legally be altered by the emperor.<sup>61</sup>

The negotiations between Vienna and Brandenburg-Prussia concerning investiture did not proceed any further than the position



which was reached in 1770. Even though the imperial government was on sounder ground than Berlin in the dispute around the precedents of 1742-1745, little could be done to alter the fact that what had been done then provided a permanent precedent. Imperial investiture certainly received a deathblow as far as the actual fulfillment of it was concerned. It did, however, remain a part of the body of law incorporated in the Reichsverfassung. For Brandenburg-Prussia and the development of the full powers of state that was the preoccupation of its rulers in the eighteenth century, a slow and organic alteration to the constitution of the empire was more likely to result in the desired ends than a sudden structural change in the Reich. The election of the King of the Romans in 1764 helped to ensure that the latter would not occur. The investiture dispute demonstrated an evolutionary process of eliminating the barriers to the development of a centralized state where the ruler alone embodied the ius publicum.

Although von Wallmoden reported to Hanover on 12 December 1766, that precedent alone would hinder the emperor's attempts to reestablish investiture,<sup>62</sup> the Hanoverian government had already initiated the required procedures for investiture. Legationsrath von der Muehl received the Lebensmuthung in mid-July, 1766,<sup>63</sup> and presented it to the Reichsvizekanzler Colloredo on 16 August 1776.<sup>64</sup> The document was officially registered, but no negotiations concerning the actual terms of the act were begun until early in the following year. Muehl's repeated requests for an Indult did not in themselves involve matters necessary of specific discussion and could be dealt with by the RHR alone.<sup>65</sup> But Vienna was certainly



desirous of gaining further declarations from the Hanoverian embassy regarding its intentions as soon as possible. A definite date for a Hanoverian investiture, or strong suggestion thereof, would have allowed the imperial government to utilize such a position as an inducement for the other electors to make similar statements.

Throughout 1767 and the following year only brief mention is made of meetings with imperial or other electoral officials and suggests that Vienna's hopes were not being realized. In that period, however, continued pressure was still exerted by Vienna to gain some firm responses from Hanover. It was in January, 1767, that the RHR first displayed a reluctance to grant a further Indult unconditionally--at least not until a Vota ad Imperatorem had sanctioned it<sup>66</sup>--at the request of the Hanoverian Legationsrath. The implication was that the emperor wished to see some concrete steps taken towards fulfillment of investiture. In April of the same year the Hanoverian embassy learned that Bohemia was prepared to lead the other electors. This was to provide incentive for Hanover to step forward and follow this example.<sup>67</sup> Nothing definite arose even with Bohemia's initiative, and when the Prussian ambassador asked von der Muehl whether his government was involved in any further negotiations, the under-secretary could reply that he was unaware of any.<sup>68</sup> This did not, however, substantiate the reports that the Prussian official said were being made by his associate stationed in London, where information existed to suggest the opposite.<sup>69</sup>

The first reference to any specific terms over Hanover's position surrounding the completion of investiture reported from the embassy in Vienna came in March of 1768. Wallmoden wrote that



he had met with Colloredo to inform the Imperial Vice Chancellor that kneeling was to be abolished from the investiture ceremony.<sup>70</sup> Vienna's willingness to negotiate this point with Brandenburg-Prussia was undoubtedly influenced by Hanover's desire to see specific alterations to the ceremony, too. Nothing further developed between the imperial government and Hanover until the following year. It was the dispatches sent from 1769 to 1772 which provide the most lucid illustration of the course of negotiations between the two courts and the actual positions of both.

The reports issued by Legationsrath von der Muehl in the first half of 1769 contain repeated notification that he had assured Colloredo that Hanover was desirous of strengthening ties with Vienna. As an indication of the sincerity of that wish he had even told the Imperial Vice Chancellor that his government would not be the last to take investiture.<sup>71</sup> But the imperial court still hoped to receive a firm date for the completion of Hanover's feudal obligations. Muehl was told that Maria Theresa, as the elector of Bohemia, was ready to take investiture as soon as Hanover had declared a precise date.<sup>72</sup> Colloredo notified von der Muehl that the emperor, fully aware of Hanover's "good intentions and strong patriotic feelings,"<sup>73</sup> was anxious to see the electorate assist Vienna in convincing the other courts to complete their investiture too.<sup>74</sup> There would have been very positive effects from the example set by Bohemia and Hanover, especially on the other temporal electors.<sup>75</sup> The nature of the comments on friendship and cooperation voiced by von der Muehl certainly allowed Vienna to entertain thoughts that investiture could be reestablished; the legal status of the emperor



as Lehensherr in the empire might well have been reconfirmed.

General remarks, however, were soon followed by specific demands that transformed the casual manner of negotiations into complex and very contentious ones. Hanover's willingness to set an example for the other courts proved to be less substantial than hoped for in Vienna<sup>76</sup> but was not the prime reason why investiture was delayed. Since Hanover's reception into the College of Electors it had not received any distinct arch-imperial office, insignia, and title (Erzamt) that investiture was supposed to verify. Certainly it had none that was uncontested. Hence its position and status was incomplete. This had been a topic of concern to the government in Hanover from 1762, and it surfaced once again in 1769.

It was during the same meeting with imperial officials where von der Muehl had been told of Maria Theresa's wish to see Hanover follow her lead in investiture that he had first reported having mentioned the matter of an appropriate Erzamt. He had stated that the failure to resolve that issue had hindered investiture in the past.<sup>77</sup> Muehl was told that the emperor was working diligently towards reaching a solution to this problem.<sup>78</sup> It was very difficult to arrive at a solution, however, because the issue touched on the Reichsverfassung; no quick answer could be expected. That none had been found was indicative of the verity of Vienna's response but had little effect in pacifying Hanover's privy council. That body was no longer content with vague promises of future solutions or temporary measures and became determined to have the Erzamt matter concluded. Von der Muehl told Colloredo in October, 1769, that his government wanted a concrete solution.<sup>79</sup> In the following month von



der Muehl was asked to present a formal statement outlining Hanover's position regarding the Erzamt, as well as proposals to solve it.

These would then be discussed by the imperial and Austrian ministries.<sup>80</sup> Accordingly, von der Muehl forwarded a privy council memorandum to Colloredo on 28 December 1769, which provided Vienna with the framework for solutions.

The desire to reestablish imperial investiture as an active requirement of all fief holders had already been expressed by Joseph and granted validity by Kaunitz and Colloredo earlier. The motivation for solving the problem of the imprecise character of Hanover's electoral distinctions may very well have been stronger in 1769 than on previous occasions for precisely this reason. Joseph's Wahlkapitulation had documented this as an obligation of the new emperor:

Sofort auch nach angetretterner Unserer kaiserl. Regierung daran sein und beim Reichs-Convent nachdruchlich befoerdern, dass die Braunschweig-Lueneburgische Kur mit einem convenablen und anstaendigen Erz-Amt versehen werde...<sup>81</sup>

Similar promises had been made by preceding emperors and consequently Joseph's did not necessarily mean that something would be finalized. It was not until 1770 that the imperial and Austrian ministries formally met to discuss the matter and attempt to develop an agreeable solution. At that time a number of options were open to Vienna and all were explored and recorded by von der Muehl in the course of negotiations over the next two years.

The first possibility was to have Hanover take investiture in the manner established by the precedents of 1692, 1694, and 1710. What this entailed was that investiture would include the provisional



granting of the Erzschatzmeisteramt, although the Palatinate alone would exercise the functions of the office. Muehl reported on 14 March 1770 that Colloredo had proposed this course of action to him and that he in turn responded by requesting more details. In addition, he told the Imperial Vice Chancellor that the Palatinate would likely not agree to this proposal, and that the exercising of the office was more important than merely having the right to use the title.<sup>82</sup> Even the suggestion that the soon to be expected death of the Bavarian elector would allow Hanover to assume full control of that particular Erzamt had little effect in convincing von der Muehl that this was a "good" solution.<sup>83</sup> The entire proposal was still nothing more than a temporary expedient and could, therefore, not receive serious consideration from the Hanoverian privy council. Vienna did little to market the idea any further.

Another means of ending the impasse was also studied by officials in Vienna. If the Erzschatzmeisteramt was not satisfactory, the creation of a new arch-imperial office might be necessary. This was, in fact, one of the points mentioned by the privy council memorandum of 28 December 1769 which von der Muehl gave to Colloredo at the latter's request. It was a suggestion that had also been made earlier in the eighteenth century. The Imperial Vice Chancellor noted that a host of possible choices had been delivered to the Reichstag in 1718,<sup>84</sup> but all had been refused because they were not deemed suitable or infringed upon the rights of other imperial offices. The Erzamt had, of course, to be unrelated to any other existing dignity. With the vast number of such honours in circulation within the Reich at that time, the task that faced Vienna was by no



means a light one. In 1770, however, two offices were eventually selected as the most likely to minimize challenges from other office holders and to receive Hanover's imprimatur; the Erzjaegermeisteramt and the Erzhofmeisteramt. Since the final ratification of either choice could only be made in the difficult setting of the Reichstag in Regensburg, the former was slightly more favourable to Vienna. In a note to Colloredo, Kaunitz justified his support for the Erzjaegermeisteramt because Austria "possessed the most well-founded rights to this office."<sup>85</sup> Rival claims would, therefore, not surface if the issue were brought up at Regensburg. Furthermore, this particular office did not infringe upon any already in existence. Hanover's acceptance did not materialize as might have been expected. The fact that Austria did possess a claim to it may have contributed to the negative response of Hanover; in the event of a future dispute with Vienna it could prove to be a point of contention. But Hanover had also already expressed the desire to gain the Erzhofmeisteramt in the memorandum given to Colloredo by von der Muehl. Inspite of the increased probability that this office would be more difficult to have passed in the Reichstag, Vienna could do little to object. Muehl was duly informed of this by imperial officials.<sup>86</sup>

In the process of creating a new Erzamt Hanover hoped that Vienna would send a Commissions Decret to Regensburg specifically stating the suggested office to be discussed and ratified. Colloredo knew that the Reichstag would consider a proposal made in this manner as too arbitrary because "es gaebe Hoefe die sich ein rechtes Geschaefte daraus machen, die Ideen des hiesigen Hofes zu Kreutzen."<sup>87</sup> More general terms offered for debate would probably not evoke an



immediate negative response even if a decision were somewhat slower in arriving. But at the end of May, 1770, Vienna was made aware of a new Hanoverian demand that was unexpected and portentous. Throughout the course of discussion surrounding the solution to the Erzamt matter Vienna appeared to be under the impression that investiture could still proceed even prior to an agreement being finalized. In May, however, von der Muehl left Colloredo with the distinct impression that the Hanoverian privy council would not agree to take investiture before an appropriate Erzamt had been formally assigned.<sup>88</sup> He soon followed this in December, 1770, with a formal statement to the same effect on the instructions of his home government.<sup>89</sup>

The position that Hanover now maintained resulted in Vienna's adoption of the third method of resolving the Erzamt issue as decided by the imperial and Austrian ministries. Since nearly five years had passed since the succession of Joseph II and still nothing positive had been accomplished towards the reestablishment of imperial investiture, each delay made success that much more unlikely. Consequently, Vienna hoped that the third method of solving the matter which prevented Hanover from taking investiture could still be carried through rather quickly. It was hoped that by creating a new office for Hanover and then immediately exchanging it for Bohemia's Erzschenkenamt delays would be minimized. According to Colloredo, this proposition too had been explored in 1718 when the imperial ambassador to London was engaged in talks with such a plan in mind.<sup>90</sup> On that occasion London had responded by stating that an exchange would be considered and it was now hoped, in Vienna, that



time had not made the acceptability of this plan less agreeable. Of course the exchange proposal could only be offered if it was understood that Bohemia would not relinquish its preeminent position among the electors through an exchange. Furthermore, in the event of a future vacancy of one electorate, Bohemia would automatically regain the Erzschenkenamt and Hanover acquire the vacant one. The expected death of the Bavarian elector without male heirs was the obvious reference for this provision.<sup>91</sup> In the process of creating a new Erzamt as part of this proposed solution, Vienna would suggest the Erzjaegermeisteramt to the Reichstag in an effort to bring about the most rapid end to the matter. This was the package that was presented to von der Muehl by Colloredo as a means to end the problem blamed for Hanover's inability to make a concrete promise to take investiture.<sup>92</sup>

Regardless of the fact that negotiations between Vienna and Hanover were still being actively carried out, and that several possible solutions to their issue of contention existed, delay was inevitable. When Vienna learned that Hanover had made the resolution of the Erzamt matter a sine qua non of its investiture, the possibility of using that electorate to pressure the remaining ones into conformity were dashed. That Saxony, Bavaria, and the Palatinate finally agreed to investiture after April, 1770, was not coincidental. If Hanover and Brandenburg-Prussia were themselves not officially part of the concert of electors the timing of the declarations of the three courts working in association certainly demonstrates the intimate connection of all electors in a matter as significant as investiture. In Vienna these new demands evoked some serious doubt as to the



sincerity of Hanover's earlier claims of friendship and cooperation. Von der Muehl was quickly made aware of the misgivings and Reichsvizekanzler Colloredo took steps to allow Hanover time to reconsider its position. He informed the Legationsrath that he was withholding the new position paper from the emperor until the Hanoverian government had reconfirmed its desire to follow this new course. This action in itself was a clear indication of the negative response that Hanover's stance regarding investiture was likely to have in Vienna, but Colloredo also realized that the implications were more general too. The friendship of Hanover (England) would have been welcomed since it might also have extended the possibility of support for Austria's plans regarding Poland's future. Even more important was hope of support for Austria's blueprints for the territorial configuration of the Danube basin and the solution to the rivalry with Russia over the fate of the vulnerable Ottoman Empire. The latter was a focal point of Austrian foreign policy in the late eighteenth century.<sup>93</sup> Since Colloredo had been one of the few important statesmen in Vienna who still maintained strong convictions favouring a continuation of the Anglo-Austrian alliance, Hanover's hardline stance on an issue of much interest to Vienna was a blow to his credibility. Von der Muehl must have been fully aware of the validity of Colloredo's concern and the inevitability of Vienna's displeasure over the new position paper on investiture. Although he did allow the Hanoverian privy council time to reconsider (a measure that later brought accusations of incompetence), he could do little to change the demands of his government. Consequently Colloredo eventually presented the emperor with the new position paper outlining Hanover's firm stance.



He then reported Joseph's response to Von der Muehl noting the Kaiser's disbelief and inability to comprehend the sudden transformation in the tenure of relations.<sup>94</sup> Muehl also heard that General Nugent had earlier reported with absolute certainty, "dass der Koenig von England die Belehnung eben so wenig als er (Frederick II) nehmen wuerde,"<sup>95</sup> but that even the correspondence of that trusted servant did not convince Joseph of Hanover's ill-will. Muehl was also told that imperial investiture was now gravely jeopardized by Hanover's demand to settle the Erzamt problem, and that the emperor was, therefore, prevented from upholding the constitution.<sup>96</sup> The entire future of the Reich could very easily be altered as a result. Although von der Muehl could justify Hanover's position on the basis of the Reichsverfassung he could not alter the fact that relations between the two states would be very much affected by the imperial claims of Hanoverian intransigence.

Although ambassador von Wallmoden denied all allegations that Hanover had been desirous of allowing imperial investiture to lapse even prior to the new position of 1770,<sup>97</sup> he would have been hard-pressed to deny that his government's stance had a profound effect on this element of the constitution. It is quite probable that had Hanover taken investiture the other electors would have followed. The three archbishop-electors and lesser temporal electors might have been more willing to specify an exact date for completing their feudal obligations. Even Brandenburg-Prussia might well have found the pressure to conform and the threat of possible isolation difficult to overlook. However, the opportunity to reestablish imperial investiture was lost after 1770 because neither of the two



most important electors had demonstrated a willingness to proceed.

Vienna was powerless to stop the disappearance of another function of the emperor's powers, albeit somewhat nominal, to maintain the traditional bonds of the Reichsverfassung as a unifying factor within the Holy Roman Empire. None of the electors complied with Vienna's plan to reestablish investiture in 1765 and so the relevance of this feature of the imperial constitution was negated by an almost uniform opposition of the nine electors.



FOOTNOTES TO CHAPTER III

<sup>1</sup> J.C. Majer, Teutsches Weltliches Staatsrecht (hereafter Staatsrecht; Leipzig, Weyland, 1775-1776), I, 343-344.

<sup>2</sup> C.F. Haeberlin, Handbuch des Teutschen Staatsrecht (hereafter Handbuch; Frankfurt, Leipzig, and Bamberg, 1794-1797), III, 305.

<sup>3</sup> H. Gross, "The Holy Roman Empire in Modern Times: Constitutional Reality and Legal Theory," The Old Reich (Brussels, 1974), 17-18.

<sup>4</sup> J.F. Noel, "Zur Geschichte der Reichsbelehnungen im 18. Jahrhundert," MIOG, (21, 1968), 115.

<sup>5</sup> Ibid., 116.

<sup>6</sup> J.J. Moser, Neues Teutsches Staatsrecht, IX, 201.

<sup>7</sup> Hofmann, Quellen zum Verfassungsorganismus des Heiligen Roemischen Reiches Deutscher Nation; 1495-1815 (Darmstadt, Wissenschaftliche Buchgesellschaft, 1976), xxvii.

<sup>8</sup> Ibid.

<sup>9</sup> Moser, Staatsrecht, IX, 341.

<sup>10</sup> See chapter I above.

<sup>11</sup> Khevenhueller-Metsch, Tagebuch, VI, 516.

<sup>12</sup> The most notable example being the King of Sardinia's use of a breach of investiture protocol as a reason for declaring war on emperor Charles VI in 1733. See Moser, Staatsrecht, IX, 300.

<sup>13</sup> Khevenhueller-Metsch, Tagebuch, VI, 210 says von Wallmoden's first audience was on November 25, 1766.

<sup>14</sup> Ibid.

<sup>15</sup> Allgemeine Deutsche Biographie (hereafter ADB), ), XL, 756-761.



## FOOTNOTES TO CHAPTER III - continued

<sup>16</sup> C. von Wurzbach, Biographisches Lexikon des Kaiserthums Oesterreich (Universitaets Buchdruckerei, Vienna, 1856-1891), LII, 275-280.

<sup>17</sup> Ibid.

<sup>18</sup> ADB, XL, 756-761; and C.H. von Westphalen, Geschichte der Feldzuge des Herzogs Ferdinand von Braunschweig-Lueneberg, (Berlin, 1859-1872).

<sup>19</sup> Wurzbach, Lexikon, LII, 275-280.

<sup>20</sup> Han. Des. 92, 144-241.

<sup>21</sup> Ibid., 241-Han. Des. 92, XXXVII, No. I, 27, 19 February, 1772, 64.

<sup>22</sup> Otto Friedrich Winter, Repertorium der diplomatischen Vertreter Aller Laender, 3 vols; Graz-Koeln, Herman Boehlau, III, 1965.

<sup>23</sup> See chapter I above.

<sup>24</sup> Han. Des. 92, No. I, 26, 103-144.

<sup>25</sup> Han. Des. 92, No. I, 27, 20 February 1771, 11-31. This particular dispatch ranks as one of the lengthiest included in the material from the embassy itself. Considering the gravity of the accusations levied against von der Muehl, the quantity written is understandable. Equally, because von der Muehl was required to duplicate it, he could justifiably claim fatigue as the reason why he could no longer write any further in his own defence.

<sup>26</sup> Han. Des. 92, No. I, 26, 14 January, 1767, 154-155.

<sup>27</sup> Ibid., 22 April, 1767, 181-182.

<sup>28</sup> Ibid., 11 April, 1767, 177-178.

<sup>29</sup> Ibid., 1 June, 1768, 221.

<sup>30</sup> Ibid., 30 April, 1768, 219.



FOOTNOTES TO CHAPTER III - continued

<sup>31</sup> Ibid., 1 June, 1768, 221.

<sup>32</sup> Ibid., 27 July, 1768, 226.

<sup>33</sup> Ibid., 31 January, 1770, 316-317; 21 April 1770, 354-355; and 13 and 31 October, 1770, 391 and 401 respectively.

<sup>34</sup> Ibid., 20 August, 1766, 114.

<sup>35</sup> Ibid., 1 April, 1767, 175-176.

<sup>36</sup> The Saxon ambassador informed von Wallmoden that his court would do nothing more towards investiture in order that Vienna would be obligated to make the first move. Han. Des. 92, 24 September, 1766, 128.

<sup>37</sup> Von der Muehl reported that Saxony, Bavaria, and the Palatinate had openly declared their intention to act in unison in this matter. Ibid., 4 July, 1768, 223.

<sup>38</sup> Early in 1767 the Bavarian ambassador said that he was unable to outline firmly Bavaria's position since correspondence was being carried out with the other worldly electors. Han. Des. 92, 6 January, 1767, 152.

<sup>39</sup> Wallmoden reported that the Palatinate's ambassador had been instructed to make no firm declarations until all negotiations had been completed with the other electors. Ibid., 3 February, 1768, 206.

<sup>40</sup> This was told to von der Muehl by one of Colloredo's staff. Ibid., 1 November, 1769, 289-290.

<sup>41</sup> Ibid., 22 November, 1769, 304.

<sup>42</sup> Ibid., 21 April, 1770, 355.

<sup>43</sup> Ibid., 5 May, 1770, 356-357.

<sup>44</sup> Ibid., 30 May, 1770, 364.

<sup>45</sup> Ibid., 24 September, 1770, 386.



## FOOTNOTES TO CHAPTER III - continued

<sup>46</sup> Ibid., 16 August, 1766, 111.

<sup>47</sup> Ibid.

<sup>48</sup> Ibid., 13 September, 1766, 120.

<sup>49</sup> Ibid., 13 and 24 September, 1766, 121-128; 5 November, 1766, 137-138.

<sup>50</sup> Ibid., 5 November, 1766, 138.

<sup>51</sup> Ibid., 17 December, 1766, 148.

<sup>52</sup> Ibid.

<sup>53</sup> Ibid., 12 March, 1768, 212-213.

<sup>54</sup> Ibid., 19 August, 1769, 271.

<sup>55</sup> Ibid., 27 September, 1769, 280.

<sup>56</sup> Ibid., 15 November, 1769, 301.

<sup>57</sup> Ibid.

<sup>58</sup> Ibid.

<sup>59</sup> Ibid., 15 November, 1769, 301-303.

<sup>60</sup> Ibid., 6 December, 1769, 304.

<sup>61</sup> Ibid., 6 June, 1770, 369-370.

<sup>62</sup> Ibid., 12 December, 1766, 148.

<sup>63</sup> Ibid., 30 July, 1766, 108.

<sup>64</sup> Ibid., 16 August, 1766, 112.



## FOOTNOTES TO CHAPTER III - continued

<sup>65</sup> Numerous Indulten were requested throughout the duration of the negotiation.

<sup>66</sup> Han. Des. 92, 19 June, 1767, 161.

<sup>67</sup> Ibid., 1 April, 1767, 175.

<sup>68</sup> Ibid., 18 July, 1767, 189-190.

<sup>69</sup> Ibid.

<sup>70</sup> Ibid., 2 March, 1769, 210-211.

<sup>71</sup> Ibid., 15 March, 1769, 236.

<sup>72</sup> Ibid., 9 August, 1769, 264.

<sup>73</sup> Ibid., 19 August, 1769, 272.

<sup>74</sup> Reports from the imperial ambassador in London included such implications. Han. Des. 92, 6 May, 1769, 244.

<sup>75</sup> Colloredo asked von der Muehl if he could use Hanover's declarations as bargaining points in the talks with the other electors. Muehl stated that he believed such a request allowable as long as they were not utilized to drive a wedge between the electors, thereby creating hostility. Han. Des. 92, 19 August, 1769, 269.

<sup>76</sup> Muehl told Colloredo that the order of investiture should follow the order of voting in the College of Electors, therefore guaranteeing that Hanover would not be the only court to seek investiture. Han. Des. 92, 19 August, 1769, 267-268.

<sup>77</sup> Ibid., 19 August, 1769, 274.

<sup>78</sup> Ibid.

<sup>79</sup> Ibid., 4 October, 1769, 284.

<sup>80</sup> Ibid., 4 November, 1769, 298.



## FOOTNOTES TO CHAPTER III - continued

<sup>81</sup> Khevenhueller-Metsch, Tagebuch, VIII, 257-258. See also H.F. Freiherr von Lyncker, Roemisch-Koenigliche Wahlkapitulation Ihro Roemisch-Kaiserlichen Majestaet Josephs der Zweyten (Hieronymus Tromsdorf; Arnstadt, 1783).

<sup>82</sup> Han. Des. 92, 14 March, 1770, 329-332.

<sup>83</sup> Ibid., 337.

<sup>84</sup> Among others: Erz-, Stallmeister, Postmeister, Schildtraeger, Kuchelmeister, Feld-Marschall, Leibgarde-General, Jaegermeister, Fischmeister, Silberkammerer, Hofmeister. Khevenhueller-Metsch, Tagebuch, VIII, 255.

<sup>85</sup> Kaunitz to Colloredo, 13 June, 1770. Khevenhueller-Metsch, Tagebuch, VIII, 267-268.

<sup>86</sup> Han. Des. 92, 9 May, 1770, 359.

<sup>87</sup> Ibid., 14 March, 1770, 336.

<sup>88</sup> Colloredo's proposal to the emperor concerning the Erzamt issue. May 28, 1770, Khevenhueller-Metsch, Tagebuch, VIII, 253.

<sup>89</sup> Han. Des. 92, 18 July, 1770, 373-378.

<sup>90</sup> Khevenhueller-Metsch, Tagebuch, VIII, 255.

<sup>91</sup> A memorandum of the Staatsrat on July 14, 1770, indicates that a majority of ministers agreed to this. Khevenhueller-Metsch, Tagebuch, VIII, 297-299.

<sup>92</sup> Han. Des. 92, 19 December, 1770, 467.

<sup>93</sup> Frederick II of Brandenburg-Prussia himself noted that these were the areas of primary importance to Austria in the late 1760s. Frederick II, "Denkwuerdigkeiten vom Hubertusberger Frieden bis zum Ende der Polnischen Teilung," Die Werke Friedrichs des Grossen in deutscher Uebersetzung (Gustav Volz; Berlin, Reimar Hobbing, 1913), 1-83.

<sup>94</sup> Han. Des. 92, 5 December, 1770, 416.



## FOOTNOTES TO CHAPTER III - continued

<sup>95</sup> Ibid., 417-418.

<sup>96</sup> Ibid., 419.

<sup>97</sup> Han. Des. 92, No. I, 27, 19 February, 1772, 65-70.



## CONCLUSION

Any remarks offered as concluding or summarizing statements about the diplomatic relations between electoral Hanover and Vienna in the decade following the Peace of Hubertusberg must rest primarily on the two main issues which dominate the relations. Although the findings of this study could be supplemented by the analysis of the diplomatic reports of Vienna's ambassadors and some of England's representatives (especially those stationed at Vienna and Berlin), certain observations are still possible. Those observations are valuable in a variety of ways.

The election of a King of the Romans had traditionally captivated the attention of the European and imperial states and the example of 1764 was no exception. Indeed, the desire and necessity of an ordered succession to the imperial throne made the election of the King of the Romans in 1764 somewhat more central to the interests of all the Reichsstaende and the great powers too.

The meaning attached to the election of 1764 was certainly noticeable throughout the correspondence of the Hanoverian diplomatic agents in Vienna. On the basis of those reports, the electoral government was hoping to reestablish friendly ties with Vienna and to erase the animosity that the Seven Years' War had embodied. The election of a King of the Romans provided the immediate opportunity to make initial overtures in this direction. Undoubtedly, as far as Hanover was concerned, a vote for the Austrian candidate would be interpreted as a concrete demonstration of the sincerity of the



Hanoverian claims, even though it would have been highly inadvisable (given the need for peace) for the electoral government to do anything but support Joseph's bid for the crown. As a consequence of these dual considerations, Hanover's willingness to refrain from further pursuing the redress of grievances voiced by its representative von Gemmingen, when Vienna began to question the sincerity of Hanover's claims to seek friendship and cooperation, is understandable. Furthermore, the significance of a King of the Romans election for the overall stability of the European balance of powers meant that Hanover's position was most probably dictated by the interests of Great Britain. The wish to reestablish friendly ties with Vienna was certainly felt across the Channel. Events connected with the end of the Seven Years' War verified that England was not willing to subjugate its interests in the name of alliances alone. The association with Vienna's most bitter rival, Brandenburg-Prussia, in no way hindered the Hanoverian monarchs at St. James from seeking cordial ties with the imperial government. Support given Joseph II in his election as King of the Romans in 1764 was, therefore, the first step taken by Hanover-England in the reestablishment of diplomatic relations with Vienna. The reports of the Hanoverian ambassador suggest that success had been achieved on this score.

Just as the diplomatic correspondence showed the importance to Hanover-England's interests of the election of the King of the Romans, it also substantiated the meaning it possessed for other important members of the Reich. Vienna's unquestionable desire to maintain its strong position within the empire through an ordered succession resting with Austrian candidates was clearly evident in the diplomatic reports



of the Hanoverian embassy. The control of the imperial throne was necessary to insure the territorial integrity of the Danubian Monarchy and to provide some mechanism for restraint of Brandenburg-Prussia. If the correspondence showed that Vienna was willing to meet certain demands of the electors (the issue of princely concurrence in the Wahlkapitulation) in order to achieve success, it also showed that further reductions in the status of the imperial throne would not be acceptable (the terms of the Wahlkapitulation itself). The support of Joseph II by Frederick II indicated the latter's need for peace and also recognition that the election of a King of the Romans could foster stability through an ordered succession. The reports of the Hanoverian embassy clearly demonstrate the importance of the election of a King of the Romans in 1764 for its own objectives, but also for those of Vienna and other states.

The election of 1764 was an event of much importance for all of Europe. The other issue that monopolized the reports of the Hanoverian embassy, namely imperial investiture, was one that concerned the estates of the empire more than the European powers in general. It involved factors that touched on the internal composition and structure of the Reich and the association between member states and the imperial throne. Hence, Hanover's positions in this matter were far more representative of the interests of the electorate alone, and not dictated by the policies of Great Britain to the same degree. However, the nature of the issue was relevant to the status and structure of the empire and could not be entirely overlooked by England either. Nothing that ran counter to the established status quo would have been allowed, and the government of electoral Hanover



was undoubtedly very much aware of this.

On the basis of the diplomatic correspondence, and the implications of the reestablishment of imperial investiture as a necessary element of the Reichsverfassung, it must be concluded that Hanover had no more desire than the other temporal electors to see Vienna's goals successfully achieved. Since at this very moment in the eighteenth century Hanover and a number of other states in the empire were in the process of furthering the limits of sole jurisdiction of the central government, they could not easily have endorsed investiture. The vehicle for direct involvement of the emperor in the internal affairs of each member state that investiture embodied was clearly understood. If an ideological link to Kaiser und Reich was still a prominent feature of the attitudes towards the concept of empire to the bulk of the member states, the chance for interference from the emperor was by no means also supported. Yet an open challenge to imperial investiture would have been dangerous since it would have been possible to label opponents as enemies of the Reich. This certainly had to be avoided by Hanover at the time when the reestablishment of friendly ties with Vienna was a prime consideration. Furthermore, the abolition of imperial investiture would only have been legally acceptable if it were brought about by the Reichstag in Regensburg; political reality indicated the complete unlikelihood of success through such means. However, the role of precedent in the constitution could be utilized to bring about the defeat of Vienna's goals. Since the entire matter of investiture had been very much up in the air during the entire eighteenth century, and no important imperial estates had taken it



since 1740, no absolute necessity to fulfill feudal obligations existed in 1765. The Hanoverian government realized that Brandenburg-Prussia's role in this matter had to be carefully watched even though it was quite predictable that Frederick II was not likely to abide by Vienna's wishes. Berlin's terms for completing investiture were unacceptable to the imperial government and severely hampered Vienna's designs. This was noted by the Hanoverian embassy. The result was that the other temporal electors of Saxony, the Palatinate, and Bavaria finally agreed to take investiture--declarations that were largely superfluous if Brandenburg-Prussia was not prepared to take it--and that Hanover was forced to forward its demands in much stronger terms. To prevent Vienna from using Hanover as the vehicle for pressuring the other electors into fulfillment of feudal obligations the electoral government had to present demands concerning major changes to its investiture procedure and distinctions associated with its fief. The combined magnitude of Brandenburg-Prussia and Hanover's investiture demands sealed the fate of Vienna's hope to see investiture revitalized. That neither of the two most powerful electors were willing to take investiture was enough to prevent any elector from doing so. It also went so far as to stop the electors from receiving investiture for other possessions that were not directly linked to the electoral fief. Hence, Hanover did not take investiture for the alternating bishopric of Osnabrueck of which the Hanoverians again became administrators in 1765. The diplomatic reports of the Hanoverian embassy clearly indicate the significance attached to the matter of imperial investiture and the degree to which the electors--particularly Brandenburg-Prussia and Hanover--were not keen to see



this facet of the constitution reestablished.

The reports of the Hanoverian embassy help to define the parameters of state development and of the ideological link to the Reich through the positions taken regarding imperial investiture. They also aid in the understanding of Vienna's imperial policy after 1763. The election of the King of the Romans demonstrated the degree to which Vienna was intent on maintaining possession of the imperial throne, while the issue of imperial investiture forms one concrete example of the structure under which the throne was meant to operate. First, the correspondence supports the position, already evident by Vienna's stance regarding the Wahlkapitulation, that no further restrictions on the imperial throne could be tolerated. The importance attached to a rule of law by the new emperor was merely underscored by Vienna's position in this matter dealing with an element of the Reichsverfassung. The nature of feudal law and Vienna's hope to see it reestablished were closely linked to the protection of the emperor's role as the highest source of justice and final recourse within the empire.

Another consideration was also connected to the matter of imperial investiture. In this case the objectives could be defined as political because of the implications of Vienna's policy. Investiture would have provided a tenable rationale for continuing intervention in the internal developments of members of the Reich. An opportunity to hinder opponents through the support of antagonistic forces within a given state was a corollary to the legal and constitutional claims embodied in the policy regarding investiture. Since the Seven Years' War had failed to result in the desired



reduction in the power of Vienna's new arch-enemy Brandenburg-Prussia, investiture along the lines outlined by the imperial government would have provided grounds for attempting such a reduction. Hence even Kaunitz, otherwise indifferent to the Reich as a potential source of strength, endorsed imperial policy here. The diplomatic correspondence of the Hanoverian embassy gave ample verification to the importance Vienna attached to imperial investiture and these political overtones were very influential in determining the reluctance of the electors to see Vienna's plans carried out.

Other considerations also must be mentioned regarding Vienna's policy in imperial investiture, the rule of law and amicable ties with Hanover. As a result of Brandenburg-Prussia's seizure of Silesia in 1740, Europe and the Reich were thrust into an era of diplomatic and foreign relations dominated by the powerful states exercising their will through force and the manipulation or negation of existing laws, traditions and conventions governing international affairs. In this perspective the enlightened despot's actions were not consistent with internal policies. In the more confined setting of the empire, the eighteenth century was characterized by the armierten Staende. The insecurity of the Reichsverfassung as a guiding set of principles for the interaction of imperial estates was made abundantly clear after 1740, and partially to combat this Vienna emphasized the rule of law. This appeal to law did not, however, hinder Vienna from becoming one of the most active participants in the "illegal" partitions of Poland. It was the involvement in the tumult in Eastern Europe which helped to lend weight to the overtures of friendly relations with Hanover-England but equally



importantly in this respect, as with the rule of law and investiture, was the eventuality of the Bavarian succession. Austria was a key figure in this issue and even went to war in an attempt to gain success for its designs. Since the court in Vienna claimed the right of inheritance on the basis of long-standing legal foundations and pacts with Bavaria, the desire for a rule of law preserving these foundations was undoubtedly meant to support the validity of such claims. By emphasizing the preeminence and inviolability of law, a costly and by no means successful war might be averted. In the same vein, the desire to reinstitute imperial investiture and strengthen the Lebensverfassung in general was also linked to the Bavarian question. Feudal laws of inheritance were intimately associated with Vienna's claims. Furthermore, and tied to both the rule of law and investiture, was the hope of gaining friendship with Hanover (England). As the second most important imperial electorate its support and cooperation could have been decisive in an issue as contentious and consequential as Austria's plans to move into Bavaria. Therefore, Vienna's claims to a rule of law, the plans for revitalizing imperial investiture and the tenure of relations with Hanover were all linked to the very serious matter of the Bavarian succession.

The issues that occupied the Hanoverian embassy in Vienna from 1764 to 1772 throw much light on the nature of relations between the electorate and Vienna. They also add to the understanding of the status and direction of the Holy Roman Empire in the same period. On that basis alone the findings of this study are valuable. But other general observations and conclusions can also be drawn from the same



source.

First, the reports indicate that the diplomatic alliances among the various powers of late eighteenth century Europe were by no means firmly entrenched or static. That Hanover, acting no doubt on the prompting of British policy, was hoping to reestablish friendly ties with Vienna lends credence to this suggestion. There was certainly a degree of ill-will between Hanover (England) and Brandenburg-Prussia that was noted on several occasions by the Hanoverian diplomats. Also reported was the feeling that Vienna and Versailles were not always acting in unison or remaining fully supportive of one another. The Diplomatic Revolution of 1756 may have created new lines of alliance but assuredly did not completely erase previous links either.

Another area touched upon by the correspondence of Hanover's embassy, and relations with Vienna in general, was associated with more widespread political trends in Europe of the Ancien Regime. One of the most striking features of this period, and especially evident in the eighteenth century, was the development of the state and the expansion of the jurisdiction and power of the central government. The process of eliminating barriers to the state was discernible in many parts of Europe including the Holy Roman Empire. The Prussian model was one of the most illustrative and the position this state took towards imperial investiture was totally consistent with the examples set within its territorial boundaries. But a similar process had also been adopted in Hanover, although the urgency and success was limited by the absence of the ruler after 1714. Nevertheless, the Elector-King was not willing to see the Emperor's powers expanded to



allow for encroachments within his state, and consequently Hanover's position towards investiture was somewhat predictable.

The correspondence also showed that the developing claims of central governments can also be applied in a limited sense to the imperial government. Although the opportunities for the emperor to exercise effective powers in the Reich were severely restricted, the emphasis placed on the rule of law, the role of the emperor as the font of justice, and the matter of imperial investiture as it relates both of the above, could be interpreted as a similar process. That such a movement was limited to legal jurisdiction does not necessarily mean that the general inspiration was not of a similar quality.

The second general observation possible on the basis of the diplomatic relations between Vienna and Hanover was that the Holy Roman Empire was not written-off as unimportant to eighteenth century states and statesmen. If it was recognized that the empire was not likely to become the vehicle for any one power to direct at its will and, therefore, determine events of far wider concern, it was an intricate factor in the European balance of power nevertheless. That a number of great powers had a direct association in the empire assured it of continuing importance. Furthermore, the Reich was a source for potential allies resulting in the significance even of its less powerful members. As an influencing factor on the stability of the European balance of power the empire was of interest to all states. If this interest manifested itself only in the concern with the maintenance of the status quo and the prevention of a power vacuum, as the election of the King of the Romans helped to do, active involvement was still essential. Equally important, if matters with such great



implications as the Bavarian succession were to arise, the need for very vigilant postures and diplomatic participation was still unquestionable regarding the empire.

Other observation can also be made on the basis of the work of the Hanoverian embassy and the nature of relations with Vienna in general. Some suggest implications that reach into social history and the socio-economic environment prevalent at the time of the correspondence. Particularly relevant was the issue of imperial investiture. Not only did vestiges of feudalism still have a very determinative effect on the status of individuals at that time, the matter of imperial investiture could have had serious repercussions for the role of subject vis-à-vis the state had Vienna's plans come to fruition. The continuity of the Reich, which the election of the King of the Romans hoped to ensure, meant that certain economic realities affecting those people living within its boundaries would also remain largely unchanged. Primarily, of course, trade between individual states was destined to operate under conditions prevalent in the late eighteenth century. If the correspondence does not provide specific data regarding the intricacies of the socio-economic setting in the Reich, it does help to define the parameters of that setting as a foundation for more detailed studies.

Some final observations are also very possible as a result of this work. These are connected with eighteenth century diplomacy, the Hanoverian embassy and imperial officials in particular, and the individual men who carried out functions of this type. Practical considerations influencing diplomacy are evident at first hand. The frequency of reports and incoming instructions, the time it took



for either to be delivered, the form of reports, and the duties of the ambassadorial staff are all witnessed by the correspondence. The examples are applicable to the diplomatic corps beyond that of Hanover alone. Closer focus shows peculiarities of the Hanoverian embassy. Clearly it centered its attention on issues that touched primarily on the electorate and allowed the English ambassador to report in detail on more general topics. The absence of reports that deal with the Polish partition of 1772 is perhaps the best example of this. It is also clear that the ambassador and his subordinates were expected to communicate with the other representatives located in Vienna in addition to imperial and Austrian officials. On that basis the roles of other ambassadors are clarified as well as such imperial officials as the Imperial Vice-Chancellor; the correspondence aids in understanding the roles of Joseph II and Maria Theresa too, suggesting that their imperial majesties did not frequently involve themselves personally with the matters discussed by the Hanoverian embassy and that the bulk of the work was carried out with Reichsvizekanzler Rudolf Colloredo. Hence, the volume of work dealt with by Colloredo would suggest that he was far more active than Maria Theresa, and some historians, would recognize. Also interesting were the reference to the Archbishop of Mainz's representative von Metternich; references that note the aspirations of that agent and foreshadow the eventual role of primary importance that his descendants would play in the Austrian state and European politics.

In summation, the diplomatic correspondence of the Hanoverian embassy from 1764 to 1772 is of significance to a number of matters.



It helps to outline relations between the two states and the issues that they were involved in within the Empire. Although this alone is very important, the nature of relations, and the form and content of the same, make this study a micro-political, micro-social, micro-economic and biographic study of statesmen in the Empire and Europe in the late eighteenth century.



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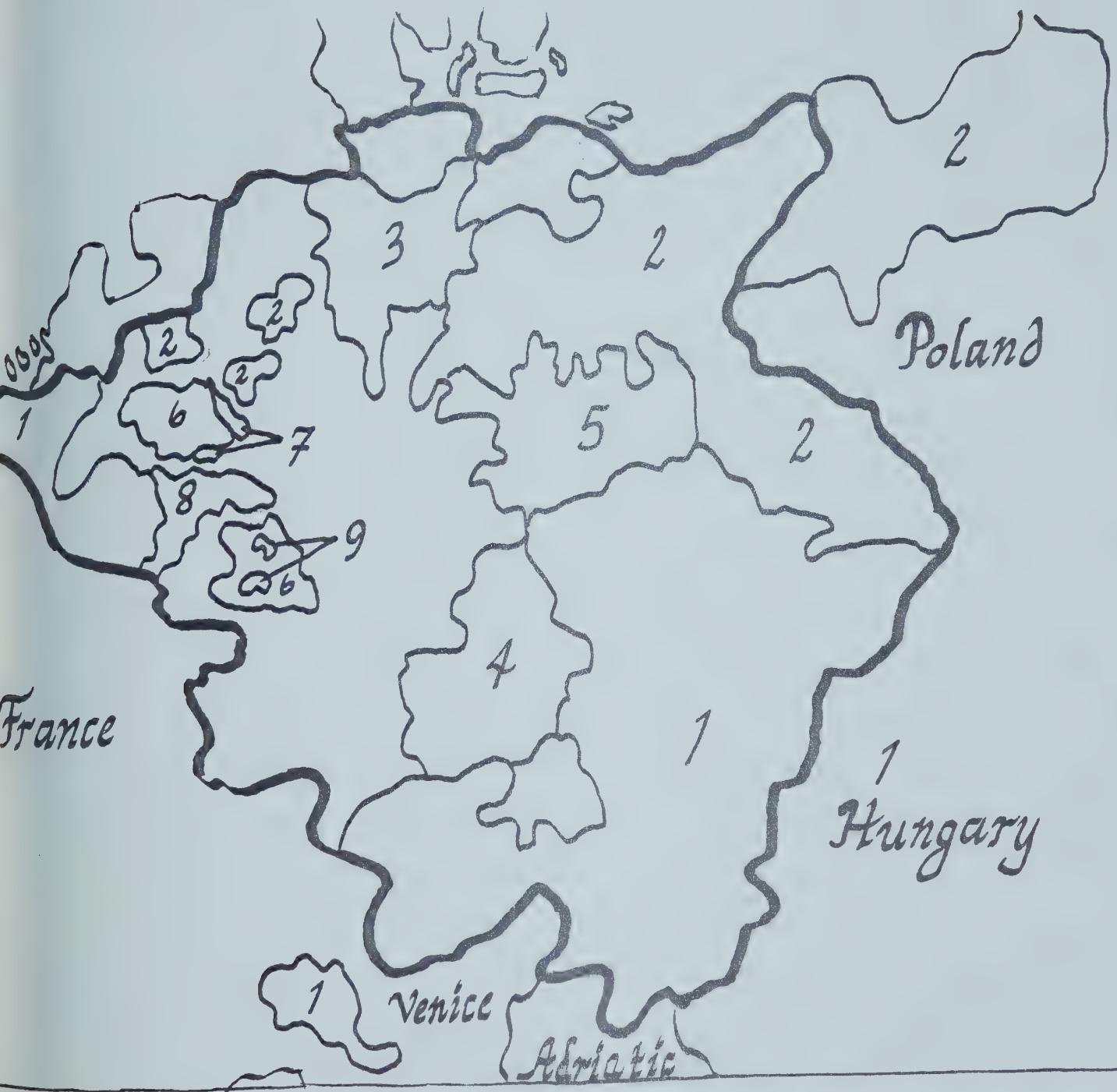
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## THE HOLY ROMAN EMPIRE IN THE EIGHTEENTH CENTURY



Borders of the Reich. Electoral Possessions:  
Territorial borders :

1. Austrian
2. Brandenburg-Prussian
3. Hanoverian
4. Bavarian
5. Saxon
6. Palatinate
7. Cologne
8. Trier
9. Mainz

\* Adapted from Grosser Historischer Weltatlas, III, 138.



## APPENDIX

Vienna, 4 January, 1764. Post script.

In the main report of 4 January, 1764, Steinberg outlined some developments pertaining to the election of a King of the Romans. Most notably he mentioned that von Gemmingen's actions were not being well received and that he was finding it difficult to promote Hanover's claims of seeking friendship with Vienna. In this postscript, he mentions his predicament again, with specific reference to one "uncomfortable" situation.

Um Eure-Excellenzien Voellig zu ueberzeugen, dass dasjenige, was ich in Ansehung des Preussischen Ministers, in meinen heutigen Berichts Psto angefuehret habe, nicht auf leeren Geruechten gebauet sey, habe ich derenselben gehorsamst melden wollen, dass wie ermeldet Ministre ehegestern mit mir bey dem Marschall Bathiany gespricht hat, derselbe mir alle in Beyseyen des Grafen von Balhoff, und des auf einige Schritte entfernten Obrist-Caemmerer, Grafen von Khevenhueller, und einiger andern, in seinen gewoehnlichen trivialen Ausdrucken gesagt habe; Wann, was hat ihre Hannoversches Ministerium in der Roemischen Koenigswahl angefangen, und als ich demselben eine gemessene Antwort gegeben, erwiederte derselbe darauf; Wie es nicht dergestalt gemeinet sey, sondern ihm dieser Einfall soeben gekommen waere, und gab uns darauf alles desjenige, was ich in erwehnten Psto. angefuehret habe, zu erkennen. Da ich nicht anders urtheilen kan, als dass der von Rohde mir dieses nicht gesaget haben



wuerde, wenn er nicht den Befehl haette, alle Schuld auf uns zu legen; So habe ich indessen das geblaubet, um allen "aigreur" zwischen beiden Hoefen zu verhuten, dass erstere mit Stillschweigen zu uebergehen, und das andere als eine mir zugekommene Nachricht auszufuehren; inzwischen kan ich Eure-Excellenzien nicht Verhelen, dass ich mich dermalen alhier in einer Situation befindet, worin mir manches mahl schwer wird, mich zu behalten.

Vienna, 9 January, 1764.

In this correspondence Steinberg begins by outlining the departures, and those yet to come, of ambassadors destined for Frankfurt. The report ends with the following excerpt which outlines the plans of the Imperial family regarding their journey to Frankfurt.

Allerunterthaenigster P.Stum smum.

Auch

Allergnaedigster Koenig, Churfuerst, und Herr!

... Ohngeachtet das Gericht noch fortdauert, dass des Kaysers Mt. Abreise nach Frankfurt, nach dem ersten Plann, auch den 4 Maerz festgestellt bliebe, und dass hoechstdieselbe die Nachricht von der Erfolgten Naehe bey dero Zweibruecken, des Prinzen Karls von Lothringen, Koenl. Hof, zu Mergentheim abwarten wollten; so vermuthet mann dennoch, da man hieselbst mehr und mehr einzusehen beginnt, dass die Croenung nicht vor Ausgang des Monates April fuer sich gehen koenne, dass Ihro Kayserl. Mt. nicht eher, als bis die nachricht von der fuer sich gegangenen Wahl allhier wird angelanget seyn, nach Frankfurt aufbrechen worden.

Die Nachricht, als ob, befehl der bevorstehenden Roemischen



Koenigswahl, eine allgemeine Kopfsteuer ausgeschrieben worden, ist ein leerer Geruecht. Der Hof braucht dazu keine ausserordentliche Geldhuelfe, da des Kaysers Mt. zwey Millionen Gulden dazu aus Ihren Schatze bestimmt haben, und die Fuersten von Liechtenstein und Esterhazy die Gesandschaft auf ihre Kosten bestreiten, welcher Sie denn desto fueglicher bewerkstelligen koenne, da ein jeder von ihnen wenigstens 400,000 Gulden jaehrlicher Einkuenfte von ihren Guetern, danebst sie, und ihre Familien, viele reele Guten bezeigungen von der Kayserien Koenigin Mt. zu geniessen haben. Der Baron von Borie ist auch Rechnung gesetzt worden. Dem Grafen von Pergen, und dem Baron von Bartenstein, sind 9,000 Gulden behuf der Equippage und eintausend Gulden monatlich, und dem Reichshofraethe von Senckenburg tausend Gulden Reisekosten, und 500fl. monatlich, ausgeworfen worden. Mann saget fuer ganz gewiss, dass des Kayser Mt. gewillet sind, den ReichsViceKanzlers, Grafen von Colloredo, den Hof und Staatskanzler, Grafen von Kaunitz-Rietberg, den Oberst Cammerer, Grafen von Khevenhueller-Metsch, und den Feldmarschall, Grafen von Daun, waehrend Ihres Aufenthalte in Frankfurt, in den Fuerstenstand zu erheben.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget.

Gf. von Steinberg.



Vienna, 14 January, 1764.

After acknowledging his reception of a new ministerial Rescript on the eleventh, Steinberg goes on to reassure his government that he has not made any definitive statements regarding the election of a King of the Romans; the ceremonial dispute surrounding the admissability of princely representatives still occupied the Imperial court making such declarations superfluous at the moment. The uneasiness between Hanover and Vienna surrounding the actions of the electorate's representative in Regensburg and special ambassador to the electoral congress, von Gemmingen, was still very much in evidence. The dispatch ends with the following information centering on the probability of Maria Theresa's desire to accompany her sons and Husband to Frankfurt for the Coronation, the departure of other Imperial emissaries, and Steinberg's reference to the illness that he suffered from and how this would prevent him from going to the electoral city.

Allerunterthaenigstes P.Stum

Auch

Allergnaedigster Koenig, Churfuerst, und Herr!

... Mit jenm hochverehrlichen Rescripts, von 28en vorigen Monats, habe ich auch des vom 24 wegen Begleitung Sr. Kayserl. Mt. nach Frankfurt, empfangen, dass der Kayserin Koenigen Mt. nicht entschlossen sind, die Reise nach Frankfurt mitzuthun, worden meine Allerunterthanigste Berichte bereits laengstens des mehreren dargeleget haben.

Da indessen des Kaysers Mt. die Begleitung der hier anwesenden fremden Ministres gern sehen, auch dem vornehmen nach, ausser andern auswaertigen, auch der Churbayrische Gesandte und selbst der Pfaelzi-



sche Resident, anch Frankfurt folgen werden; So faehlte ich dafuer, dass Vielleicht am besten seyn moegte, wenn ich meine Gesundheits Umstaenden die Ursache setze, warum von mir ein gleiches nicht geschen wuerde, als wegen welcher besonders nach einem noch erst vor Acht Tagen gehabten starken Anfalle auf der Brust, die Medic mir eine genaue Sorgfalt, und so bald es die Witterung nur immer erlaubet, den Gebrauch einer Cur Verordnet haben. Meinem unmassgeblichen dafuer halten noch, durftte meine Anwesenheit in Frankfurt fuer Eure Koenigl. Mt. dienst dermahlen um so entbehrlicher seyn, da eines daselbst haben werden, andern Theils bey dem kuertzen Aufenthalts des Hofes, der wie es hieselbst nicht ueber Zehn oder Zwoelf Tage dauern wird, die Kayserlichen Ministres dermassen Zerstreute seyn werden, dass die Zeit und Gelegenheit mir fehlen duerffte, Eure Koenigl. Mt. Geschaefte dort betrieben zu koennen.

Der Fuerst von Liechtenstein gehet uebermorgen nach Frankfurt ab. Da derselbe, der schlechten Wege halber, nicht vor Ende dieses Monats in Frankfurt eintreffen wird; so vermuthet man auch allhier, dass die Eroefnung des Churfuerstentages in dem naechsten Tagen des kuenftigen Monats erst werde fuer sich gehen koennen.

Der Reichs-Vize-Kanzler von Colloredo hat mir vor etlichen Tagen gesaget, wie der Baron von Bartenstein von Regensburg gemeldet haette, dass Ewer Koeniglichen Majestaet Comitialgesandten von Gemmingen gegen ihn contestiert habe, dass er alle offebaren Unwahrheiten und Glimpfungen Zuschrriebe, ihm aber dabey versichert habe, dass da Ewer Koeniglichen Majestaet befehle, dass Wahlgeschaefte moeglichst so zu befoerdern, ihm zugekommen waeren, er solche auch seinerseits nach besten Wissen und Vermoegen bewerkstelligen wuerde.



Der von Gemmingen habe gleichfalls gegen ihn bezeuget, dass er, fuer seine Person der voelligen Wiederherstellung und Befristung des guten Vernehmens mit dem Diesseitgen Hofe nicht zuwider waere, und selbige vielmehr als eine fuer beyde hoechste Hoefe erwunschte, und erstrieslich Sache ansahe. Und obwohl er, von Gemmingen, den 9ten diesen erst von Regensburg Abreisen wolle, so haette er sich dennoch gleich ueberreden lassen, seine Reise nach Frankfurt sofort anzutreten. Das Kaysl. und Kaysl. Koenigl. Ministerium scheinen nunmehro ueber alles Vorgekommen sehr beruhiget zu seyn.

Naechsten Abend habe ich von dem ReichsViceKanzler vernommen dass auch ihm gestern noch von Berlin zugekommene Nachrichten die guenstigen Gesinnungen Sr. Koenigl. Mt. von Preussen, in Ansehung der Roem. Koenigswahl bestaetigen.

Gf. von Steinberg.

Vienna, 6 June, 1764.

This report outlines the congratulations, official and personal, that Steinberg offered the Imperial family after completion of the election.

Habe ich in Gefolge der vom Ewer Koeniglichen Majestaet Geheimen Rathe von Behr auf dero hoechsten Befehl vom 11tn. May mir eventua-liter gegebenen Anweisung, nachdem mit der letzten Montags-Post Ewer Koeniglichen Majestaet fuglichen Botschafter, MyLord Stormont, der Befehl zugekommen war, bey dem Kayserl. Mten. und der Roemischen Koenigs Mt. hoechst deroselben aufrichtig an Anteil an der gluecklich Vollzogenen Roem. Koenigswahl in eigends deswegen zu suchenden Audienzen vorlaufig zu beweugen, bis Ewer Koeniglichen Majestaets



solches mittelst dero Antwort Schreiben selbst bewerkstelligen wuerden, auch, meines Arts, um selbiges in Ewer Koeniglichen Majestaets hoechsten Nahmen, nicht weniger als Churfuerst zu bewirken, um audienzen bey hoechstgedachten des Kaysers, der Kayserin Koenigen, und des Roem. Koenigs Mt. Mt. Mt. angesuchet. Diese sind mir hierauf, bey Anwesenheit des Hofes zu Laxenburg, dasselbst am Verwichenen Sonnabend Nachmittags ertheilt worden, und wie unter andere die in Abschrift hinbey liegende Antwort des zu Baden befindlichen Reichs Vize Canzlers auf mein bey ihm geschehens schriftliches Anmelden, des mehrere darleget, welche geneigte Aufnahme derjenigen Freundschaftlichen Aufmerksamkeit, die Ewer Koeniglichen Majestaet dem Kayserlichen Roemischen Hofe bezeichen zu lassen geruht haben, mir zum voraus von dessen Ministerio versichert worden ist; So haben auch solche allerseits Kayserl. und Kayserl. Koenigl. Mt. Mt. Mt. mir bey den gegebenen audienzen, auf neinen, nach der MyLord Stormont ertheilten Vorschrift auch meinerseits eingerichteten Vortrag, auf die Vollkommenste Weise, steuren lassen.

Des Kaysers Mt. mir geantwortet, dass auf gleiche Art, als dieselbe soeben gegen MyLord Stormont Ihre damals verpflichten fuer Ewer Koeniglichen Majestaet bezeuget haetten, hoechstdieselbe solche auch gegen mich in Ansehung Ewer Koeniglichen Majestaet als Churfuerst auf das lebhafteste erneuert haben wollten, mit der Versicherung das Sr. Kayserl. Mt. gewiss zu keiner Zeit die nachdrueckliche und geweurgige Unterstuetzung welcher Ewer Koeniglichen Majestaet als Churfuerst Ihro in dem Vollzogenen Werke haetten angedeyen lassen, vergessen, auch alle gelegenheiten mit Vergnuegen ergreiften wuerden, Ewer Koeniglichen Majestaet Ihre Erkenntlichkeit, Hochachtung, und



Freundschaft darzulegen. Des Roem. Koenigs Mt. führten gleiche Ge-  
sinnung, und Ewer Koeniglichen Majestaet wuerden auch wahrnehmen,  
dass hoechstderselbe sich zu allerzeit patriotisch erweisen wuerde.

Die Kayserin Koenigin Mt. haven Ihre Dankbarkeit und Erkennt-  
lichkeit auf eben diese Art in den Verbindlichsten Ausdruecken fuer  
Ewer Koeniglichen Majestaet geaeussert und hinzu gesetzt, dass die  
Vollzogene Roemische Koenigswahl Ewer Koeniglichen Majestaets werk  
sey, indem nichts anders geschehen waere, als dasjenige mit Ewer  
Koeniglichen Mt. beystand und Unterstuetzung zu Stand zu bringen was  
hoechstderoselben in Gott ruhenden Herrn Grosvaters Koenigliche Mt.,  
hoechstselbst angefangen, und in dieser Masse ausgefuehren, sich  
bemuehet haetten, auch ausgefuehret haben wuerden, wenn nicht in Um-  
staende des leigiden Krieges dazwischen gekommen waeren. Dieses  
hat hiernaechst Ihro Mt. gelegenheit gegeben, da Sie sich ueber eine  
gute Viertelstunde mit mir zu unterhalten gerufen, auf gedachten  
Krieg selbst zukommen, und hoechstdieselben haben dabey geaussert,  
dass Ihre gewiss gefallen waere, einen Umstand den Andere dergestalt,  
als geschehen sey, nach sich ziehen zu sehen. Ihro Kayserl. Koenigl.  
Mt. fugten dabey hinzu, dass Ihro in diesem unangenehmen Zeitverlaufe  
noch besonders sehr zu Gemuethe gegangen sey, dass Ihro auch habe auf-  
geleget werden wollen, als ob Sie mit der Cron. Frankreicht die Ein-  
kuenfte an Ewer Koeniglichen Majestaet Teutschen Landen getheilet  
haetten, Sie koennte hoechlich Versichern dass diesen keinen Grund  
habe, und dass so wenig etwas aus Ewer Koeniglichen Mt. Landen, von  
Ihro Mt. gezogen worden waere, dass Sie Vielmehr noch die 4 Bataillons  
welche Sie zur erst bey der Franzoesischen Armee gehat haetten aus  
Ihren eigenen bezahlen muesssten. Auf diese, mit den Verbindlichste



Ausdruecken von Hochachtung und Freundschaft fuer Ewer Koniglichen Majestaet und hoechstdero Hochherrl. Herrn Grosvaters Koenigliche Mt. untermischte Aeusserungen habe ich erwiedert, dass dieses Zeiten waeren, die ueberstanden seyen, dass der Hergestellte Friede alles in Vergessenheit gesetzt haette, und dass Ewer Koeniglichen Mt. nichts aufrichtiger wuenschten, als Ihro Kayserl. Koenigl. Mt. bestaendigen Proben Ihrer Freundschaft zugegeben, und mit hoechst denenselben in fortdauerenden gueten Vernehmen zu stehen. Die Kayserin Koenigin Mt. versetzten hierauf, dass gewiss auch bey Ihro alles Vergessen waere. Das Roemischen Koenigs Mt. haben meinen Vortrage nicht weniger auf das bindlichste beantwortet.

Im uebrigen soll Ich allerunterthaenigst unangemerkt nicht lassen, dass MyLord Stormont sowohl als ich bemerkzt zu haben glauben, wie mann hieselbst in der Erwartung zu stheen, scheinet dass Ewer Koeniglichen Majestaet auf eben die Art, als von allen denen Hoefen, wohin eignen Absendungen mit der Notification der Vollzogenen Wahl geschehen sind, bereits beobachtet wird, ebenfalls die Abschickung des Fuersten von Auersberg mit einer eigenen gegen-Absendung erwiedern werden, indem blos die NOrdischen Cronen Niemand hieher abgeordnet haetten, weil aich an sie niemand abgeschickt worden waere.

Ich verharre wie mein allterunterthaenigster Bericht des mehere besaget,

Gf. von Steinberg.



Vienna, 16 August, 1766.

Legationsrath von der Muehl reports to the Hanoverian government that he has fulfilled the required presentation of documents for eventual investiture of Hanoverian imperial fiefs. He also records that both Saxony and the Palatinate have done likewise, while Prussia's actions towards this end were likely to meet with opposition from the imperial government since they were carried out in a manner not in accordance with customary law and investiture procedure. The reference to Brandenburg-Prussia's actions touch on a matter that proved to be somewhat of a sensitive matter between Vienna and Berlin in the negotiations over investiture; for the government of Frederick II this was a move that was clearly indicative of its efforts to prevent investiture from being reinstated as a necessary legal prerequisite to lawful possession of imperial fiefs.

Des Koenigs von Preussens Mt. haben wie ich Vernehme, die Lehen nicht, wie er Herkommens ist, durch eigenhaendige Schreiben gemuthet, sondern durch Ihren Residenten dieses bewerkstelligen lassen, womit sich aber der RHRath besonders bey der jetzigen Kayserl. Regierung gewiss nicht begnuegen wird.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget.

Muehl.

Vienna, 23 December, 1767.

Ambassador von Wallmoden's report serves primarily as an introduction to the copy of an imperial draft resolution concerning investiture that was presented to him by Colloredo on 21 December, 1767. He



mentioned that the Imperial Vice Chancellor met with him and prior to giving von Wallmoden the document commeted that simolar copies had been given to the other electoral representatives. The Hanoverian ambassador was told by Colloredo that the Imperial court hoped that the individual electors would study the document and send their agents in Vienna appropriate instructions as quickly as possible. Von Wallmoden received it ad referendum and appended the draft resolution to his dispatch of 23 December, 1767. The following passages represent the contents of that document.

Des Hoechsterl. Kaysers Franz Mt. haben von Anfang bis zur Ende Ihrer zwantzig jaehrigen Regierung, die Erhaltung der Reichsverfassung, und das dabey den Wesentlichen Theil ausmachende Band, Haupt und Glieder, mit die Erneurerung deren Reichsbelehnungen, zur Gesezmaessigen Wuerkung zu bringen, sich eben so sorgfaeltige Angelegenheit seyn lassen, als Ihro Kayserl. Ambt, Vermoege deren Reichssatzungen und Ihro Beschworenen von denen Churfuersten errichteter Wahlcapitulation abgelegen hat, die Lebensverdingung, deren Gerechtsame, das mit denen Gesetzen in gleicher Gueltigkeit stehende Reichsherkommen, und das Kayserl. Ansehen und Wuerde, welche selbst dem gantzen Reich die Ihro und die groesste Vorzuege gibt, aufrecht zu erhalten.

Diese Sorgfalt hat sich zugleich bey allen Gelegenheiten auf die Aufmerksamkeit erstreckt, um denen Churfuersten Ihre mit dem Herkommen eingefuerhte und Ihren durch die Wahlcapitulation bestaetigte ausgezeichnete Ihren Bewiessungen allenthalben zu Handhaben, zur Vereinbarung des einen mit dem anderen und Vorzueglich zu Erfuellung ihrer auf das wesentliche der Reichsverfassung gerichteter Abliegenheit, haben sich allerhoechst dieselbe Bewogen gefunden, bey letzt hin Vorgewesener



Wahl und Croenung eines Roem. Koenigs Ihrer jetzo glorwuerdigste regierenden Kay. Mt. denen dabey Versammelte Churfuersten und Ihren Bottschaften, durch die Churboehmische Bottschaft einen freundschaftlichen Vorgrag zu thun, wodurch die Kayserl. Zuneigung, dem Churfuerstenstand Merkmale die der Vorzueglichen Achtung auch bey Reichsbelehnung zugeben, bestaettiget, anbey den Fortgang der Belehnung zu erleichtern, und nach etlicher Churfuersten geaeusserte Absicht angenehm zu machen gesucht worden.

Wie aber wieder Vermuthen von denen mehreste Herrn Churfuersten unter vorig Kayserl. Regierung darauf keine Erklaerung erfolget, mithin Ihro jetzt glorwuerdigste regierende Kayserl. Mt. nach Vorschrift deren Reichssatzung, und Wahlcapitualtion Art. 10 S. 10 mit Erfuellung Ihres Kayserl. Ambst dem Herkommen nach, nicht weiter entstehen koennen; So haben allerhoechst Sie gleichwohnen die von Ihres Herrn Vaters Mt. auf die Herren Churfuersten genommene Ruecksicht annoch vorerst auch bey Ihre selbst eintritten lassen, und zu folge solcher geneigte Gesinnung, dem Churfuersten zu Mayntz, als des Churfuerstl. Collegii Decaro, aufgetragen, dieses denen Herrn Churfuersten zu eroefnen und von selben die Wuerkstaendige Erklaerung auf den bey letzterer Roem. Koenigswahl durch die Boehmische Bottschaft gethanen Vorschlag zu erfordern.

Ihro Kayserl. Mt. wollten solchemnach diese der Churfuerstl. Wuerde gewidmete Vorzuegliche Nachgiebigkeit in dem Zeitherigen bey Belehnungen allgemein bekannten Herkommen denen hier anwesenden Gesandten und Bevollmaechtigten hindurch Eroeffnen, mithin sich versehen, dass sie an ihren Hoefen den wahren Wehrt dieser Kayserl. Ruecksicht geltend und einsehen machen, sofort die Rueckgab einer erkaenntlichen Aufnahm und darnach erfolgender bereitwilliger



Erklaerung auch wuerklicher Vorschreitung zum Empfang ihrer Churfuerstlichen ehebaltest Verschaffen wuerden; Wodann allerhoechstgegl. Ihro Kayserl. Mt. in dem vorgeschriebenen Weg deren Gesetzen und unfuerdenklicher Herkommens zu Erhaltung der Reichsverfassung, Vorzugehen nicht weiter verschieben koennten.

Der ReichsViceCanzler Verspricht sich von deren Herren Ge sandten und Bevollmaechtigten eigenen geneigten Antrieb, dass Sie dav on ihren Hoefen den schleunigen Bericht erstatten, und eine hinlaengliche mit der Kayserl. Wahl Meynung uebereinstimmende Erklaerung ehestens Verschaffen werden.

(Kayserliche Erklaerung, die churfuerstlich Crohn-Belehnungen betreffend. eine solche Ad. 1764 bey der Roem. Koenigswahl zu Frankfurth von den Churboehmische Wahlbottschafft dem Churfuerstl. Collegio eroeffnet worden.

1/ Lassen Ihro Kayserl. Mt. geschehen, dass von den Herrn Churfuersten, sie moegen Geistl. oder Weltliche Koenige oder nicht Koenige seyn, kuenftighin die Belehnung ueber ihro Churfuerstenthuemmer, und die denselben incorporirten Lande coram throno nicht mehr kniend, sondern stehend empfangen werde.

2/ Behalten sich Kayserl. Mt. anbey bevor, dass die Herrn Churfuersten diese Kayserliche Nachsicht als ein neues kennzeichen Ihrer alleroehchsten Ruecksicht ansehen, und im uebrigen es bey den Herkoemmlichen gebuehren und Ceremoniel darunter belassen, und

3/ Dieses neue Lehensceremoniel nur von den Churfuerstl. Landen ver standen, und die Investitur ueber alle ihre andere Fuerstenthuemmer, Lande und Besitzungen noch dem bisherigen Ceremoniel kniend empfangen werde, auch



4/ saemtliche Herrn Churfuersten sich dahin einverstehen, dass die Belehnung von nun an binnen einer discreten Zeit gesuchet und empfan- gen, auch die persoehnliche nichterscheinung durch ein Foermliches Anbringen entschuldiget werden solle. Wobey jedoch

5/ zwischen einen Churfuersten der die Investitur in Persohn empfanget, und einem andere der solches durch Bevollmaechtigte Ge- waltraeger thut, dieser Unterschied zu beobachten, dass Ersterer sothanen actum durchaus stehen zu Verrichten, letzterer hingegen wenigstens das Schwerd kniend zu kuessen habe. Schlusslich, und

6/ das Churfuerstliche Collegium Ihro Kayserl. Mt. mit seiner unter- stuetzung an hand zu gehen habe; damit den Altfuerstlichen Haeusern, sondern jenen, die Zugleich Koenige sind, wie Vorpommern, Hollstein- Glueckstadt und Savoyen eben so wenig als den Geistlichen Fuersten und Grafen, auch sonstigen kleinen Lehen in der Belehnung eine graduation gestattet, und dadurch in dem Reichslehenswesen einige alteration veranlasset, sondern sie die Fuersten in ihrer vorigen Cathegorie verbleiben moegen, welche nicht besser verhindert werden koenne, als wenn die Herrn Churfuersten nach empfangener Churfuerst- licher Belehnung auch bald hernach per actum Seperatum die Inves- titur ueber ihre Fuerstenhaeuser und uebrige Lande style consueto nehmen. folglich mit ihrem beispiel den Fuersten vorgehen.

Vienna, 2 March, 1768.

The following is the response given by von Wallmoden to the imperial Vice Chancellor Colloredo to the draft resolution concerning investiture that the Hanoverian ambassador sent at the end of the previous year. Since no mention is made of any remarks about the



two month period that had elapsed between the sending of the draft resolution and the reply that von Wallmoden gave to Collredo, we must assume that the imperial court considered it rendered within the guidelines--"as soon as possible"--that were set out in the original document.

Habe ich am Sonntage dem Herrn Reichsvizecanzler eroeffnet, was der Belehnungs Angelegenehit halber, in den Ministerial Rescript von lten darinn zusammen gefasset, dass Ewer Koeniglichen Mt. zu wuenschen fortfuehren, dass ein Aussweg genommen werden moege, wo- durch die Belehnungen wieder in gang gebracht wuerde, auch wenn die Handlung hinselbst deswegen unternommen werden wollte, bereit waeren, solche von mir mit antreffen zu lassen, wie ich dann zu diesem Ende mit noethiger Anweissung versehen sey, was aber die Sache selbst betrifft, Ewer Koeniglicher Mt. Gesinnung in dem an Chur Mayntz voriges Jahr erlassenen Antwortschreiben, enthalten waeren, und dahin giengen, dass das Niederknien, als in welchem das wesentliche nicht bestehen und welches fuer so angesehene Vasallen als des Teutsche- Reich zu selbst eigenen Vorzuge seines Oberhauptes habe, nach den jetzigen Gebraeuchen nicht angemesse sey, gaentzlich bey allen Gelegenheiten, und eben so auch bey allen Orten von Belehnungen den Herrn Churfuersten, hinweg bleiben muesste. Der Herr Reichsvicecanzler hat uebernommen, des Kaysers Mt. von dieser Eroeffnung den Vortrag zu thun.

Er scheinet im uebrigen, dass dieser Gegenstand ueberhaupt auch fernerhin keinen grossen Fortgang so bald machen moegte. Chursaechsischer seits macht man sich die Minderjaerigkeit Ihro Churfuerstl. Durchl. zu Nutzen, bis zu deren Endschaft man schon an und fuer sich selbst keiner Lehnsempfaengniss Verbunden ist; So haben auch die



Preussische und Churpfaelzische Gesandten irgend einiger Anweisung noch nicht erhalten. Der Fuerstenstand wird nicht weniger allezeit vielen Aufenthalt veranlassen, da man nicht nur hier immerhin genug abnehmen kann, wie man gegen denselben zu einiger Nachgiebigkeit sich niemals entschliessen werde, sondern auch wohl Churhoefe selbst zwar nicht damit sich werden beladen wollen, den Fuerstenstand zur Unterwerfung unter das alte Ceremoniel zu vermoegen, jedoch aber die Abänderung desselben ausdrücklich als einen privatiren Churfuerstl. Vorzug bedienen duerften, wie solches was ein und andere Bevollmaechtigte manchesmahl in Gespraechen fallen lassen anzudenken scheinet.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget.

Gf. von Wallmoden.

Vienna, 4 July, 1768.

In the following report von Wallmoden notes that Maria Theresa has stated her willingness to proceed with investiture but does not consider it productive since the example might not inspire the other electors to follow her lead. In addition the Hanoverian ambassador mentions that Bavaria, Saxony, and the Palatinate have stated their desire to act in unison, or at the very least to discuss investiture between themselves, prior to committing themselves to any firm notification regarding investiture.



Allerunterthaenigster P.Stum

Auch

Allergnaedigster Koenig, Churfuerst, und Herr!

Habe ich Ewr. Koenigli. Mt. in meinem letztern allerunterthaenigsten Postscripto vom 16ten angezeiget, wie mir der Churtrierische Gesandte von Metternich wegen der Belehnungs Sache gesprochen. Ich habe nachgehends in goressten Vertrauen erfahren, dass gleich bey seiner ersten Audientz Ihro Mt. die Kayserin ihm wegen dieser Belehnungssache und der von dem Churfuersten von Trier zu hoffenden Willfaehrigkeit bezeiget, wie Sie fuer Ihro eigene Laender die Belehnung gern und willig wurde genommen haben, wenn Sie haette glauben koennen, dass ein solches Beyspiel die andere Churhoefe zu befolgung desselben hatte bewegen koennen. Inzwischen aber man nachhero wohl ueberzeuget waere, dass in Ansehung des Cermoniels man mit dem Punct des Niderkniens unmoeglich bey denen gegenwaertigen veraenderten Zeiten durchkommen wurde. Er bestaerket also dieses vollkommen die schon gehabte Meinung, dass um die Belehnungen wiederum in Gange zu bringen, man Kaysl. Seits in verschiedenen Puncten nachzugeben gewillet ist. Der Chursaechsische, ChurBayerische, und ChurPfaelzische Hoefe haben sich inzwischen vereinbahret, in dieser Sache durchaus einerley Sprache zu fuehren, und sich daher gedachte 3 Hoefe anjetzt dieserwegen, wie ich gewiss weiss, in genauen Correspondenz.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget.

Gf. von Wallmoden.



Vienna, 27 July, 1768.

In this dispatch ambassador von Wallmoden characterizes Mainz's representative von Metternich. The latter's complete cooperation with the imperial government receives mention because von Wallmoden deemed him untrustworthy. Furthermore, an indication is given which foreshadows the eventual service that later members of the Metternich family were to render to Austria.

Allerunterthaenigstes P.Stum.

Auch

Allergnaedigster Koenig, Churfuerst, und Herr!

Wurde ich nicht ermangelt haben, dem mir Geschehenen Auftrag gemaess, mich mit dem ChurTrierischen Gesandte, Grafen von Metternich fleissig zu concertiren, er hat sich aber seit seines Gesuchen Auftenthalts in eine so genaue Verbindung mit bedienten der Reichskanzlei eingelassen, dass ich mich verbunden hatte, anzuzeigen, wie man ihm ohnmoeglich ein mehreres anvertrauet kann als was demselben woertlich hinterbracht werden soll. Man kann ihn auch nicht anders als wie einen Kayserl. bedienten ansehen, indem ich gantz gewiss weis dass seine Absichten blos auf hiesige Poste gehen. Es scheinet auch als wann der hiesige Hof sich berechtigt haelt, von dem Churfuersten von Trier fuer die ihm geleistete so wuerksame Assistentz, einen vollkommenen Beyfall in allen Reichssachen zu erwarten, und wird der von Metternich gewiss seiner Seits alles dazu beytragen. So ferner viel ist mir wenigstens bekannt, dass eben diesen merklichen Folgsamkeit halber swischen dem Chursaechsischen und Churtrierischen Hoefen in Reichssachen recht wenig connexion obwaltet. Ich habe es meiner Schuldigkeit erachtet diese Umstaende zu erwaehnen, theils um



die etwa aber um dortigen Hof zu thuende Eroefnungen darnach ein zurethen, besonders aber um mich zu rechtfertigen, wann ich gegen den von Metternich die Vertraulichkeit etwas einschrenke.

Ich verharre wie mein allerunterthaenigster Bericht das mehrere besaget.

Gf. von Wallmoden.

Vienna, 15 November, 1769

In the time that expired between Muehl's first mention of Brandenburg-Prussia's fulfillment of various requirements leading up to imperial investiture and the report here, he informed his government of the demands that were made by Berlin concerning changes being sought in the investiture ceremony. This dispatch, however, outlined Brandenburg-Prussia's definitive demands. These proved to be the source of the impasse resulting in the breakdown of negotiations between the imperial court and Berlin, and were undoubtedly the reason why several other electors finally stated their willingness to take investiture. Since Brandenburg-Prussia's participation in investiture was essential to the prospect of reviving this element of the Reichsverfassung, this dispatch is very illuminating as a record of the failure of Vienna's plans.

Ist noch in der vorigen Woche, auch dem Churpfaelzischen Gesandten von dem Herrn ReichsviceCanzler, der Antrag, in Ansehung des Belehnungsgeschaefte, geschehen. Er, fuer seiner Persohn, hat von der Hinlaenglichkeit des Kayserlichen Erbietens, ueberzeuget zu seyn geschienen. Inzwischen hat er die Sache ad referendum genommen.



Der Preussische Gesandte hat dem Herrn ReichsviceCanzler eroefnet, wie er nunmehro seine Anweisung erhalten habe, und wie, Vermoege derselben, der Koenig, sein Herr, zu der Lehnsempfaengnis bereit waere, wenn nur das Knieen, durchaus aufgehoben, die Entschuldigung des persoehnlichen Nichterscheinens, wie kuenftige nicht Verlanget, und die Belehnung in der Retirade ertheilet werden wollte.

Der Herr ReichsviceCanzler hat ihn geantwortet, dass, was in die zwien ersten Puncte betraefe, der Kayser dem Verlangen des Koenigs zu vorgekommen waere, wie er dann auch ihm, Gesandten, die darueber den andern Churfuersten schriftlich mitgetheilet Erklaerung auf eben den Fuss behaendigen wollte;

Allein in Ansehung des Drittenpuncts, hoften Sr. Kayserlicht Mt. dass Sr. Koenigliche Mt. von Preussen weiter in Sie nicht zu dringen blieben wuerden. Sr. Kayserliche Mt. Waeren ueberzeuget, nunmehro alles erschoepft zu haben, was Nachgiebigkeit in der Sache und Hochachtung gegen die Churhoefen, haetten nur immer erwarten lassen koennen; hierueber Vermoegten Sie aber auch nicht mehr Hinauszugehen, oder sich deswegen in einer fernere Unterhandlung einzulassen; am allerwenigsten stuende, nach der Capitualtion in Sr. Mt. Macht, einen unterschied in Ansehung eines Herrn Churfuersten vor dem anderen zu machen. Sr. Kayserliche Mt. wuerden unendlich bedauren, wenn den Koenig seiner Foerderung beharren sollte; muessten es aber Ihres Arts, darauf ankommen lassen, was Sr. Koenigliche Mt. von Preussen wuerden entschliessen, und koennten allenfalls darueber das Werk weiter nicht mehr aufhalten.

Der Preussische Gesandte, beziehet sich zwar auf das, auch in Ansehung des Puncts wegen der Retirade, von Meyl. Kayser Carls VII



erhaltenen Versprechen, und hiernaechst auf dasjenige, welches der Kayserin Koenigen Mt. in dem Hubertusberger Frieden gethan haben. Allein Kayserlichen Seits erwiedert mann, die Kayserin Koenigin, haette sich zu nichts, als bonis officis, anheischig gemacht, diese angewendet, und also das, was ihr oblag erschoepfet. Carl VII haette zwar jene Versicherung gegeben; allein es heise, dabey ausdruecklich, dass die Belehnung in der Retirade, wie von Oesterreich, sollte genommen werden duerfen; wie oeffters angefuehret worden waere, haette Oesterreich die Belehnung in der Retirade Kniend genommen mithin wuerde der Koenig, bey diesem Beyspiele, wenn es in Anwendung gebracht werden sollte, nicht anders als Verlieren. Der von Leikam hat gegen mich hinzugefueget, dass wenn es hiernaechst darauf ankommen sollte, zu eroerten, wie weit des Versprechen Carl VII fuer seine Nachfolger von Verbindlichkeit seyn koennte, der Umstand nicht ausser acht zu lassen seyn wuerde, dass von dem gedachten Kayser keinesweges eine Versicherungsurkunde Vorhanden waere, ja dass derselbe nicht allein nicht als Kayser, sondern nicht einmal als Churfuerst, indem die Sache vor seiner Erhebung zur Kayser wuerde geschehen waere, dass Versprechen bestaetigt haette, und alles auf einer Festsetzung zwischen dem Grafen von Toerring und dem Grafen von Podewils beruhte.

Der von Leikam hat mich versichert, dass, was dem Preussischen Gesandten zu erkennen gegeben worden waere, auch Sr. Kayserl. Mt. festes Entschluss sey, von dem Sie nicht abgehen wuerden. Mann hofte aber auch, dass der Koenig sich zum viele allendlich legen wuerde, wie dann der Gesandte nicht nur vor der ihm gewordenen Antwort und Vorstellung zu berichten versprochen, sondern dabey, wie er mir



Vertraulich nicht Verhehlte, selbst anheim gegeben haette, dem General Nugent in der Sache Auftrag zu thun, welches auch geschehen wuerde.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget.

Muehl.

Vienna, 18 July, 1770.

In this lengthy report Legationrath von der Muehl attempts to present the imperial court with the suggestion that his government cannot consider investiture prior to the settlement of the Erzamt issue. Since the resolution of the problem of a titular office had not been made a sine qua non in the negotiations with Vienna up to this date, he recognized that such suggestions would have to be made with the greatest delicacy. Furthermore, he was forced to reassure Vienna of the ernesty of Hanover's claims of friendship and cooperation with the imperial government while at the same time having to suggest that his government had not formally decided to take investiture previously. The latter consideration was necessary if he was to prevent any claims of duplicity on Hanover's part from being made by the imperial government. This dispatch was particularly important because it documented the demands that Hanover was to continue to make regarding its willingness to take investiture. The linking of the Erzamt matter and investiture proved to be one of the major, if not the primary, stumbling block in the negotiations between the two courts regarding the fulfillment of feudal obligations outlined in the Reichsverfassung. That the issue could not be



resolved easily certainly helped to result in the collapse of Vienna's plans to reinstitute imperial investiture as a necessary element of the constitution and the emperor's role as supreme overlord in the Reich.

Ist, wie vorher das Ministerial Rescript vom 11ten Juni, also auch mit letzter Post, das vom 3te dieses, in der Lehensangelegenheit, mir zugekommen. Ich hatte inzwischen bereits die gantze Zeit her seit meinen unterem 16ten Mai erstatteten Bericht nicht unterlassen, bey allen Gelegenheiten mich dahin zu bemuehen, dass alle nachtheilige Meinungen, welche auf die in Gefolge des Rescripts, vom 25ten April, von mir geschehene Erklaerung, geschoepft worden waren, aus dem Wege geraeumet worden moegte. Auch hatte ich die Sache so unterbauet, dass ich nach und nach die entstandene Bestuerzung in Verdoppelten Vertrauen, auf Ewer Koén, Mt. freundschaftliche und patriotische Gesinnungen mit der auflebenden Hofnung abwechseln sahe, der Erfuellung der erstern Erklaerungen sich als dann wieder zu naehern, wenn auf mein in der Erzamtsache uebergebenes Pro Memoria Ewer Ke Mt. so, sie mann nicht zweifele, zufrieden gestellt werden wuerden, besonders da im mittelst nunmehro auch der Churbayrische, Chursaechsische und Churfaelzische Beytritt erfolget waere. Dabey glaubte ich, mich genugsam versichern zu koennen, dass alle widrige Eindruecke von dem entstandenen Missverstande bey Sr. Kays. Mt. selbst sich Vermieden befaenden. Im uebrigen hatte ich auch die gegenwaertige Lage der Sache seit meinen Pro Memoria allzeit in der Gestalt bemerklich zu machen gesuchet, dass bevor hierauf der Punct wegen des Erzamts nicht nur Aufklaerung kaeme, nach der Natur der Sache irgend einiger weiterer diesseitiger Schritt nicht zu erwarten seyn koennte. Ich



habe also dafuer gehalten, daran nicht unrecht zu thun, wenn ich die Vorliegene Missdeutungen fortan so wenig als moeglich fuer Sprache braechte, und also auch in dieser Absicht mich in Ansehung derer durch das gedachte Rescript vom 3ten July bey dem Kayserlichen Ministerio nur mir aufgegebenen Erlaeuterung, begnuegte, Vortraulich an den Geheimen Referendarius von Leikam mich zu eroeffnen.

Dieser fuehrte mich nun zwar aber, wohl auf den Hergang der Sache zurueck, nach welchen Ewer Koenigliche Mt., so sehr von alleroehst denenselben dabey der Beytritt der andern Churhoefe gewuenscht worden waere, jeden noch nicht nur selbst zu gleicher Zeit erkannt, dass Ihr von diesen eine Trennung durch die geschehene Annahme des angebotenen Ceremoniels, und durch die daraus folgenden weitern Schritte, nicht vorgeworffen werden koennte, sondern auch nach der Hand sich gefaelligst erklaert haetten, von irgend einiger Beytritte anderer, geschweige von einer Einstimmigkeit derselben, dero eigene Belehnung nicht abhaengig zu machen zu lassen, wann nur Churboehmen voran gegangen waere. Und eben so waere in Ansehung des Erzamts von ersten Anfange an, nur von schicklichen Temperaturen und von Hebung der Ausstaende, die Rede gewesen.

Der von Leikam glaubte also, dass dem hiesigen Ministerio nicht Verdacht werden koennte, wenn es durch die neuen Erklaerung gerueht worden waere, da selbige nicht allein den Punckt des Erzamts weit genauer mit der Belehnung zu verbinden, und anstatt sich ueber die Schicklichkeit oder unschicklichkeit des Hebung des Anstaende Vorgeschlagenen Temperaments heraus zu lassen, weil mehr auf die wuerkliche Ausmachung des neues Erzamts, wozu sich Sr. Kayserliche Mt. jedoch willfaehrigst erboten haetten, mit sehr unbestimmer hinaus-



sezung der Zeit abzuziehen geschienen, sondern Vornehmlich in Ansehung der Belehnung selbst ohne sich im mindests auf eine naehere Festsetzung einzulassen, eine weit andere Ruecksicht auf die anderen Churhoefe, welcher Herbeyziehung man im uebrigen Kayserlicher Seits selbst sich mit alleraeussersten Glimpfe hatte angelegen seyn lassen, die Besorgnis des Vorwurfen von Trennung, ja eine nicht undruckliche Ausstellung der Sache auf ihr gutes Einverstaendnis, und auf die Communication mit ihnen gezeiget haette, wenn man auch die hinzugefuegte etwas bedeutliche Frage beyseite gesetzt hatte, wie man es mit denen zurueckbleibenden Hoefen in der Folge zu halten gedaechte. Denn obgleich das hiesige Ministerium fuer Ewer Ke. Mt. viel zutiefe Ehrfurcht truege, um allerhoechst denenselben nicht die gerechtigkeit widerfahren zu lassen, dass Ewer Ke. Mt. in Seiner Sache, und also auch nicht in dieser, worinn hoechst dieselbe eine so ausnehmende Probe von Freundschaft dem Kayser zu Sr. Mt. bestaendigen wahren Verbindlichkeit gegeben haetten, der Absicht faehig zu seyn, der Erfuellung Ihrer Versprechungen ausweichen zu wollen; so haette doch dasselbe bey diesen ungleichen Aeusserungen, nicht anders als befuerchten muessen, dass das Geshcaefte aus seinem bisherigen Geleise Fellen moegte, besonders da Vorhin schon Churpfaltz und andern Hoefe hoch erhoben haette, dass denen aus London erhaltenen Nachrichten zufolge, Ewer Ke. Mt. Erklaerungen nur allgemein und unverbindlich waren, und Ewer Ke. Mt. Sich von den anderen Herrn Churfuersten nicht trennen wuerden, welches man so lang man meine erstern Erklaerungen allein vor sich gehabt, mit gleichgueltigkeit auf sich beruhen lassen, und als einen Missverstand angesehen, nach der Hand aber nicht mehr gleich unerheblich haette betrachten koennen; und da hier-



naechst auch die zu eben der Zeit meiner letztere Erklaerung aus London unmittelbar hierher gekommene Berichte, nach bedenklicher als diese gelautet haetten.

Allein, nach dem der von Leikam mich an alles dieses, obwohl mit der besten Anstaendigkeit zurueck erinnert hatte, so faste er sich dahin zusammen, dass wie er sich von mir ueberzeugt fielte, dass ich mir eben so sehr angelegen seyn wuerde, immer mehr und mehr guten Vertrauen und Vernehmen zwischen beyden Hoefen zustiften und zu befoerdern als er mir dieses von seine Seite und von der Seite des Kayserlichen Ministerii aufrichtig versichern koennte; so glaubte er, dass dieser Zweck und die Freundschaft der Hoefen erfordern, aller dieser Discussionen sich voellig zu enthalten, und allein auf die Sache, und also darauf zu sehen, wie dieser zu beyderseitigen Vergnuegen fortan die Richtung gegeben werden koenne. Und da schiene es, dass selbige eigentlich an den Punckt des Erzamts hoften; nicht dass er mir geradehim einzugestehen Vermoegte, als ob, wie ich nach der Vorschrift des Rescripts, meiner Seits geaeussert hatte, Der-selbe mit der Braunschweigische besonderen Churbelehnung so wesent-lich Verbunden sey, dass die Bewerkstelligung dieser ohne ausmachung des Erzamts sich nicht gedenken laste. Sondern mit dem daby be-findlichen gern vernommenen Zusaze, dass Durch die von mir geschenen Erklaerungen einem darueber zu trefenden arrangement nichts in den Weg gelegt sey.

Wodurch es, so sehr ihn jener strenge Ausdruck Anfaenglich er-schoepft haette, selbiben fuer gemildert, und in so weit unwider-sprechlich halten wollte. Denn dass keine solche wesentliche Un-zertrennlichkeit, als gedachter Ausdruck anfaenglich den Sinn dar-



boeten, Vorhanden waere, das zeigten, ohne auf den obenangefuehrten Hergang der gegenwaertigen Unterhandlung zurueck zu gehen, schon allein die Vorhin ohne Erzamt geschehene Belehnung bey Ewer Ke. Mt. selbst eigenem hohen Churhause, ja Ewer Ke. Mt. Lehensrequisition selbst, als in der von einem Erzamt nichts erwaehnet waere. Das aber wuerde nicht in Anrede gestellet, dass, wie Sr. Kaysrl. Mt. ueberhaupt Verbunden waeren, Ewer Ke. Mt. Erzamts Angelegenheit zu befoerdern, also dieses jetzt Vorzueglich der rechte Zeitpunkt waere, dieses zur Sprache zu bringen.

Was dann aber das Arrangement betraefe, welches in Absicht auf die Belehnung deswegen zu treffen seyn wuerde; so haetten Ewer Ke. Mt. so wenig unrecht zu bestehen, dass der wuerklichen Ausmachung eines neuen ERzamts dabey naeher getreten werde, als die Sach von langer Zeit gewesen say, und die Berichtigung nicht auf umbestimmte feiten, so weit es mehmelich von Sr. Kayserl. Mt. abhaengen koenne, hinaussetzen zu lassen, dass er vielmehr erkennte wie die bsondere Hochachtung, Freundschaft, und Erkenntlichkeit des Kaisers, fuer Ewer Ke. Mt., und wie er sich ferner ausdrueckte, die Probite auf Seiten des hiesigen Hofes erheischte, mehr fuer Ewer Ke. Mt. zu thun, als zu anderer Zeit eben als ein recht haette gefordert werden koennen. Er waere aber auch einmahl Sr. Kaysrl. Mt. Wille, anders wohin gegangen, als dieses Ewer Ke. Mt. durch die That redlich und aufrichtig zu bezeugen. Nachdem nun Ewer Ke. Mt. den Aufsaz des Commissions-Decreti sich haetten gefallen lassen; soe wuerde auch nunmehro dasjenige, was von seiten des Kayserlen. Hofes und der Cron Boehmen noch rueckstaendig waere, allerdings fortan erfolgen. Die Berathschlagung und Einverstaendniss zwischen diesen beyden hinbey



in zweyerley Eigenschaft eintretenden Theilen, haette die foermliche Antwort auf mein Pro Memoria noch aufgehalten. Wie sie aber in dem Geleise waere, dass ich Sie alltaeglich erwarten konnte, so zweifelte er, von Leikam, fuer sein Theil nach der gegenwaertigen Lage nicht, dass solche vor allen nebst der Kayserlichen auch die positive Kayserlich Koenigliche ERklaerung wegen des Erzhofmeisteramts, hiernaechst die Versicherung enthalten werde, dass gleich jezo, bey Erlassung des Commissions-Decreti, sowohl nach Regensburg als an die Hoefe, die begehrten Schreiben mit den gemessenen Befehlen an die Gesandten ueberall die Sache zu unterstuetzen, und wo von Ewer Ke. Mt. Teutschen, oder auch dazu angewiesene Englische Ministres befindlich sind, gemeinschaftlich und Vertraut mit ihnen sich zu bearbeiten, ergeben sollte, und durchaus sogleich jetzt die Beypflichtung des hiesigen Hofes werde erklaeret werden. Hinwiederum aber glaubte er, von Leikam, dass Ewer Ke. Mt. erlaeuchtest ermessen wuerden, dass da Sr. Kayserl. Mt. in dieser Masse hoechstdieselben so willfaehrigst zu nementlich bedingen zu duerfen hoften wuerde, dass auch der Berichtigung der Belehnungsangelegenheit nicht auf unbestimmte Zeit hinaus gesetzt werde, welches augenscheinlich geschehen wuerde, wenn blos hin dabey stehen geblieben werden wollte, abzuwarten, was das Commissions-Decret wuerden, und das die Erzamts-sache vor eine Wendung nehmen werde. Sr. Kayserl. Mt. glaubten Ewer Ke. Mt. dadurch allermehl eine Probe Ihres Achtungs, Wollen Vertrauens zu geben, so wie es zugleich beweise, wie weit man hieselbst von aller Vervortheilung und Ueberschnellung entfernt waere, dass von Ihro, Ewer Ke. Mt. die Festsezung und Bestimmung der Zeit selbst ueberlassen und anheimgegeben wuerde. Gienge inzwischen die



Erzamtssache zu Ende, so wuerden Sr. Kayserl. Mt. darueber nur desto erfreuter seyn; auf den Fall aber, dass dieses nicht erfolgte, wuerden Ewer Ke. Mt. die Zulassung eines Temperaments nicht anders als hoechst-billig finden koennen. Die von Ewer Ke. Mt. selbst als fuer die gantze Reichsverfassung zutreuglich und noethig angesehene Herstellung der Belehnungen, bliebe immer das eigentliche Geschaeft und die Hauptsaechen; die Erzamtsangelegenheit aber, auch bey den eifrigsten Bemuehungen, sowohl in Ansehung des Ausschlags fuer diese oder jene Idee, und also auch wegen des Erzhofmeisteramts, als in Ansehung der Zeit Ungewiss. Ewer Ke. Mt. haetten die Bereitwilligkeit zu schicklichen Temperaturen schon von Anfang an patriotisch bezeugeet, hingegen in Ansehung der Belehnung nur eine Bedingniss, nehmlich den Chur-boehmischen Vorgang sich vorbehalten. Wann auch das Werk in der lediglichen Annahme des Cermoniels weiterhin liegen bleiben sollte, so wuerden die andern Herrn Churfuersten ebenfalls mit der Lehns-empfaengniss fortan zurueck halten, hierueber aber gegen Ewer Ke. Mt. ungezweifelte Absicht den gantze Endzweck verfehlet werden. Eben darinn bestaende Ewer Ke. Mt. Hohes verdienst, dass hoechstdieselbe andern das Beyspiel gegeben haetten. So lang aber dieses sich nicht auf den aus der Annahme folgenden Schritt der Belehnung selbst erstreckte, wuerde keiner von Ihnen sich beruhigt halten wollen, weil sie alle zum Vorwand naehmen, dass dieses nur durch der Vorgang solcher Herrn Churfuersten, die zugleich Koenige waeren, geschehen koennte. Ich darf, als ich gegen ihn derer Bemuehungen Erwaehnung that, welche Ewer Ke. Mt. Sich gegeben haetten, die andern Herren Churfuersten herbeyziehen, darauf die Erkenntlichkeit des hiesigen Hofes auf das Verbindlichste bezeugte; hingegen aber auch mir eine



nicht geringe Aufmerksamkeit spuerren liess, als ich nach veranlassung  
des mir gewordenen Rescripts in Ansehung deren Ursachen, warum die  
von mir in Gefolge des Rescripti vom 25 April ausgerichtete Erklaerung  
nicht anders ausgefallen sey, mit anfuehrte dass auch, Ob Ewer Ken  
Mt. Vorgang in dem Belehnungsgeschaefte ueberhaupt den Endzweck der  
wirklichen Befoerderung der Reichsbelehnungen haben werde, ungewiss  
waere. Er sagte bey diesem von mir woertlich beybehaltenen Ausdrucke,  
dass er zwar nach seinen mir schon zu erkennen gegebenen Grundsaezten,  
weit entfernt waere, sich an solchen zu haengen, da er aber ihm doch  
etwas dunkel vorkaeme, so wollte er nur mir nun immer an den Hergang  
derselben geschlossen zu bleiben, zoviel nicht unbemerkt lassen, dass  
zwar die Befoerderung des allgemeinen Reichsbelehnungsgeschaeft von  
jeher als eine glueckliche Ewer Ke. Mt. zu verdankende Folge Ihres  
hohen Beyspiels sich versprochen worden, auch daran zumahlen noch jetzt  
zur Hand gekommenen Churbayrischen, Chursaechsischen, und Churpfael-  
zischen schon Erklaerungen, nicht zu zweifeln waere, solche aber den  
gegenstand des zwischen beyden Hoefen unterhandelten Geschaeftes  
nicht ausgemacht haette; welcher blos Ewer Ke. Mt. selbst eigene  
Belehnung, und diese so sehr allein gewesen waere, dass Ewer Ke. Mt.  
sich gegen alles, was sie mit andern compromittiren koennte, Vor-  
gesezzen, sich selbst aber nur den Churboehmischen Vorgang bedungen ha-  
haetten; und indem man diesen Kayserlichenseits sobald Ewer Ke. Mt.  
gefaellig waere, bewerkstelligen zu lassen Vermoegte; so wuerde durch  
das Ersuchen, einen festen Terminum zu Lehnsempfaengnis nahmhaft  
machen zu wollen, nichts anders geschehen seyn, als was der natuer-  
lichste naechste Schritt von seiten des Kayserlichen Hofes habe seyn  
muessen. Auf solche Art habe ich also den mir ertheilte hochverehr-



lichen Ministerial Auftrag vollzogen, und in dieser Masse ist die von mir gegebene Erlaeuterung aufgenommen worden, welches zu berichten des Rescript mich anweiset. Ewer Ke. Mt. werden hieraus abzunehmen geruhen, wie alle nachteilige Maynung hinweg geraeumet sey, jedoch mit der Voraussetzung, und in der schmaechelhaften Hofnung auf seiten des hiesigen Hofes, dass Ewer Ke. Mt. alsdann, wann nunmehro derselbe die in Ansehung des Erzamts ruckstaendiger Punckt, nach dem in meinem letztern Pro Memoria eroeffneten verlangen erlediget, sich entschliessen wuerden, die Festsetzung der Frist zur Lehnsempfangung auf eine Ihro gefaellige Zeit, als welche dagegen begungen werden wird, zutueck erklaeren zulassen, ein Gesichtspunkt, welchen alsdann Verfolgen zu koennen, wann hiesigen Ortes Fest ueberredet bleibet. Der von Leikam hat hinzugefueget, dass mann zwar, so wie die Antwort auf mein Pro Memoria schriftlich erfolgen werde, also auch diese gegenantwort schriftlich erwarten wuerde, dass mann aber hieselbst fuer sehr erwünschte Ansehen muesste, wenn ich auf den Fall der gewuerdigten auf mein oftgedachtes Pro Memoria anfallenden Entschliessung, die Erlaubniss zum Vorhinein erhalten sollte, wenigstens muendlich die Versicherung einer hiernaechst zu erfolgenden Festsetzung des Termins geben zu duerfen, weil sonst aufs neue eine solche muendliche Zusage vorhanden und mann also Verstanden waere, in die Erzamtsache alsogleich alles Verabredete abgelassen werden koennte.

Die churmazische und ChurTrierischen Gesandten haben diese Zeit her verschiedene mahl eigends die Gelegenheit genommen, sich bey mir zu erkundigen, ob von Seiten Ewer Ke. Mt. mit dem hiesigen Hofe keine naehere Abrede wegen der Wirklichen Lehensempfaengniss erfolget waere, als woran ihren Hoefen ungemein viel laege da sie



beyde die Belehnung, wo moeglich hier abwarten sollten, welche jedoch nicht eher, als bis durch Ewer Ke. Mt. und der Kayserin Koenigin Mt. etwas gewisses Festgesetz waere, geschehen koennte. Ich habe nicht geglaubet, diesen Gesandten vorerst noch etwas von dem Punct des Erzamtes blos geben zu koennen, und es also allzeit bey allgemeinen Antworten beenden lassen.

Die Bischoefliche Freisingische Belehnung Habe Sr. Kayserl. Mt. die vorige Woche an dem Domherr von Reischach, und den Reichsagent Braun ertheilet.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget.

Muehl.

Vienna, 20 October, 1770.

In this selection the matter of the Austrian Conscription and census first arises. Along with a number of other dispatches which relate to the similar topic it is possible to gain some indications of the rational and supporters of the measure, the responses to it from various quarters, and the actual means of implementation.

Suchet mann, bey der in meinem heutigen allerunterthaenigsten Berichte erwahneten, sogenannthen Conscription, wie den RHRath, also auch die Gesandschaften unter solche zu zielen. Ersterer hat deswegen noch keine Entschliessung gefasset, so viel ich aber weiss, haben diejenigen Mitglieder bey denen die Conscription angesonnen worden ist, solche nicht zugelassen. Was letztere betrifft, so hat der Unstand, das mein Quartier sich in dem Hause befindet, welches welches das 26te in der Nummer ist, Veranlasset, dass mich zuerst mit



jenes Ansinnen betreffen hat. Als nemlich heute vor 8 tagen gegen Mittag sich in diesem Hause ein Officier mit einem Civilbedienten einfand, und dem Aufseher des Hauses andeutete, wie auf Befehl Ihro Kayserl. Koenigl. Mt. sich Nachmittags zwischen 4 und 5 Uhr, alle einwohner desselben zu Hause halten sollten, um die Conscription vornehmen zu koennen; so erwiederte selbiger, wie er es alsogleich im Hause bekannt machen wollte, in dem 2ten Stockwerke aber ich wohnte, und mich wohl diese Verordnung nicht betreffen wuerde. Wie der Aufseher des Hauses aber mir hinterbracht hat, so antwortete der Officier, dass hierin kein Unterschied waere, mit dem Zusorge, dass sich sownig die Gesandschaften ausschliessen koennten, als der erste Fuerst sich unterwerfen muesste. Bey diesen Umstaenden erachtete ich fuer das Glimpflichste, und zugleich fuer das in Ansehung der Gesandschaftlichen Freyheiten behufigste Mittel, eben um diese Zeit mich aus dem Hause zu Verfuegen, und meine Leute ein gleiches thun zu lassen. Ich hinterlies blos den Legations-Canzlisten mit dem Auftrage, wenn sich die Commission einfaende, mit aller hoeflichkeit zu aeussern, wie ich nicht zu Hause waere, hiernaechst fuer Ihro Kayl. Koenl. Mt. und alles was hoechst Ihro herruehrte die tiefste Ehrerbietung hegte, jedoch geglaubt haette, dass in Ansehung des gegenwaertigen Falles ein Misverstand abwarten muesste, und die ergangene Verordnung auf mich, in Ansehung des Posten, welchen ich zu bekleiden haette, nicht gemeynet seyn koennte. Als nun die bestimmte Stunde sich zur Conscription ein Kayl. Koenigl. Hauptmann mit einigen Civil-Persohne eingefunden hatte, wurde auch von dem Legation-Canzlisten das ihm aufgegebene geaeussert, worauf der erste Civil-bedienten antwortete, dass mir der Antrag unrecht ausgerichtet worden seyn muesste, der ein mindesten



nicht meine Persohn zur Absicht haette, in dem meine Immunitaet wohl bekannt waere, sodern nur dahin ginge, dass ich erlauben moegte, diejenigen von meinen Leuten aufzuschreiben, die Kayl. Koenl. Unterthaelen waeren. Der Legations-Canzlist sagte, wie keiner zu Hauss waere, und hinauf ent ernte sich die Commission mit aller hoefflichkeiten Seit dem ist nichts an mich gebracht worden, und wo wenig ich glaubte, dass wenn auf eine anstaendige Art, die Zahl, und die Nahmen derer in Gesandschaftlichen diensten stehenden hiesigen Landeskindern von den Gesandschaften sich aus gebeten wuerde, diese damit aus han- den zu gehen Ursache haben; so wenig ich glaube ich Unrecht zu thun, eine von der Commissioen selbst zu bewerkende Conscription in meinen Hause nicht zu Verstatte, sondern solche mit Glimpf und Hoeflichkeit ferner zu Verbitten. Ich habe auch in EwerKoen. Mt. Gesandten Haus den Auftrag gethan, falls ich dahin gewendet wuerde, sich auf die Antwort zu beschraenken, wie mir davon Nachricht gegeben werden wuerde. Ich habe noch nicht erfahren, dass das Ansinnen vorerst noch bey andere Gesandschaften als bey dem Ventianischen Botschafter geschehen sey. Auch dieser hat geantwortet, wie er alle Ehrerbietung fuer Ihro Kayl. Koenigl. Mt. truege, allein sich ausser Hand befaende, eine solche Conscription in seinem Botschaft-Quartieren jemahls zu zugestehen; er waere hiernaechst der letzte von denen dermahlen hier befindlichen Botschaftern, und wuerde sich dem nicht entziehen, was andere ihm Vorgehende fuer gut erachten wuerde.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget.

Muehl.



Vienna, 28 November, 1770.

After reporting that none of the foreign ambassadorial representatives were required to register with the local Kreisamt in the census, Muehl stated that he was acting in accordance with the English ambassador Mylord Stormont regarding the immunity of the embassy staff in general. It was still not clear to Muehl, Stormont, and others, if the immunity of those persons could be included under the embassy's rights. As we see by the Note Kaunitz sent to all diplomatic agents, Vienna did not intend to extend diplomatic immunity to staff of Austrian origin.

Um eine genaue und Zuverlaessige Kenntniss Erblaendischen Population zu erlangen, haben Ihro Kayserl. Koenigl. Apostol. Mayjt. eine allgemeinen Seelen Beschreibung an zu ordnen, und solche auch in der hiesigen Residenzstadt bewerkstelligen zu lassen geruehet.

Da sich verschiedene inlaendische Unterthanen in diensten der hier anwesenden Auswaertigen Herren Botschaftern, Ministern, Residenten etc. befinden doerften, so hoften Ihro Majt. dass dieselben allerhoechst Ihro Absicht mit befoerdern zu helfen nicht ermangeln werden.

Zu dieser Zuversicht haben Ihro Majt. dero Hof- und Staatskanzler, Fuersten von Kaunitz-Rittberg aufgetragen, den Churbraunschweigischen Geheimen Legations-rath Herrn von Muehl, wie hiermit geschicket, zu ersuchen, dass diesselben, Falls Sie einige inlaendischen Unterthanen in ihren diensten haben, solche in einer besondere Fassion genau bemerken zu lassen, und dieselbe dem Hof- und Staatskanzler zu uebersenden, zugleich aber gedachte erblaendische Dienstpersohnen dahin anzuweisen belieben wollen, dass diejenigen,



welche zu seiner Zeit zur persoehnlichen Conscription vor das hiesige Creisamt einberufen werden wuerden, dasselbst unverweigerlich erscheinen, und sich stellen sollen.

Der Kurbraunschweigische Geheimen Legations-Rath Herr v. Muehl werden andurch Ihro Kayl. Majt. einen angenehmen dienst erweisen, und der Hof- und Staatscantzler ergreift mit vielen Vergnuegen diese neue Gelegenheit, die Versicherung seiner besondern Ergebenheit gegen dieselbe zu geben.

St. James, 29 Nobember, 1770

After reporting that the diplomatic immunities of the ambassadorial representatives themselver were being upheld, Muehl stated that both he and the english ambassador, Mylord Stormont, were unsure if they were allowed their domestic personnel to be registered in the census. Although no formal statement on the matter had yet been issued by Vienna, Muehl requested instructions regarding the position he would take if, or when, such an announcement was made. His orders arrived at the beginning of November and the Hanoverian ministry told him that he was to act in accordance with the English ambassador, but that domestics of Austrian origin could be allowed to be registered. In this unique document included with the diplomatic correspondence of the embassy, George III notified the Hanoverian privy council that he approved of their instructions.

Auch ist was meine weitere Bericht vom t huius, betreffend die Conscriptirung der Gesandschaftlichen Bedienten, zu Wien, zu selber Zeit geliefert worden.

Wir sind darin mit euch einverstanden, dass der Oesterreichi-



schen Regierung Wohnungen abzielende Officiales vornehmen zu lassen.

Wir halten aber auch vor, dass wenn die Gesandten vor dem Fuersten Kaunitz der sonst ministerialiter, ersuchet worden, die in ihren diensten stehende eingeborhen Landeskinder auszus eigen, solches dem Gesandschaftl. Freyheiten unnachtheilig sey, und darin von ihnen gewillfaehret werden koennen.

Ihr habet indessen wohl gethan den LegationsRath Muehl ein-berichteter mallen zu instructiren, und damit von ihm eine Gleich-formigkeit mit andern Gesandschaften beobachten werden moege, ihn auszuweissen sich mit mehreren diesselben, und vernehmlich mit Unsere Botschafter, dem Lord Stormont, welcher aber in seinen bisherigen Berichten der Shace mit keinen Wort erwehnung gethan hat, zu besprechen.

.....George III.

Vienna, 5 December, 1770.

The presentation of the Hanoverian memorandum on investiture that Legationsrat von der Muehl carried out in late 1769 made it clear that the resolution of the Erzamt matter was essential if the electorate hoped to give a precise date for investiture. This document did not immediately indicate that this was a sine qua non but was still of sufficient magnitude to allow the three temporal electors of Saxony, Bavaria, and the Palatinate to finally express a willingness to take investiture. Those declarations made Vienna even more determined to see Hanover set a precise date for investiture and meant that the electoral psoition had to be defined in very straightforward terms. As a consequence, near the end of 1770 the



Hanoverian privy council sent the mebassy a new Rescript which clearly outlined the Hanoverian position. In it the resolution of the Erzamt issue was made a prerequisite for taking investiture and finally confirmed Vienna's fears that such a position was eventually to be forwarded. The reaction of Vienna to this firm statement was likely to be less than warm. It was understood that it would not only severely hamper the imperial government's goal of seeing investiture reestablished but that it would also carry implications undermining Hanover's claim of seeking friendly and cooperative ties with Vienna. Hence, the following two excerpts are particularly important because they incorporate a number of considerations regarding the diplomatic relations between Hanover and Vienna.

Hat sich der Herr Reichsvizekanzler auf seine Herrschaft Zierendorf begeben, von wennen er erst Morgen furueck erwartet wird. Ich habe also das Pro Memoria in der Erzamts und Belehnungssache ihm nocht nicht uebergeben koennen, indessen davon dem Geheimen Referendario Von Leikam die Eroefnung gethan.

Dieser hat mir darueber alleraeusserste Bestuertzung und Verlegenheit bezeiget, und auf tiefes Nachdrucken sich dahin ausgedrueckt, dass ich ihm keine ueblere Zeitung haette bringen koennen. Er sagte, wie er Sie so ansehen muesse, Theils in Ansehung des gegenstandes, welchen das Pro Memoria eigentlich betraeffe, theils in Ansicht auf das gantze Verhaeltnis zwischen beyden Hoefen ueberhaupt, indem er mir nicht Verhelen koenne, wie Sr. Kayle. Mt. weder in dem einen noch in dem anderen betrachte eine so abfeallige, also auf hoechstdieselbe einen hoechstempfindlichen Eindruck machen wuerde. Der von Leikam bezeugte mir anfaenglich, wie er, nach sei-



nem wohlgemeinten auf bestaendige Feudschaft und dauerhaftes aufrichtiges Vernehmen zwischen beyden Hoeffen abzielenden Gesinnungen so niedergeschlagen sich befaende, dass er in Wahrheit nicht wisse, was er mir Antworten, oder sagen solle, wenn ich auf der uebergabe des Pro Memoria bestuende. Endlich aber eroefnete er sich dahin, er haette sich so lange er mit mir zu thun gehabt haette, immerhin offenhertzig, aufrichtig, und Freymuthig erwiesen, und dabey glaubte er, bey allen Gelegenheiten mir dargethan zu haben, welche grosse Ruecksicht er fuer meinen Hof hegte, und welchen Eifer er anwende, das Vertrauen immer enger zu knuepfen, und zusammen zu schliessen, denn er machte auch kein Geheimnis vor mir daraus, zu bekennen, dass er ein gen ues und freundschaftliches Vernehmen zwischen Ewer Ken. Mt. und Sr. Kayle. Mt. fuer das wahre und aechte Interesse des Kaysers und des Reiches halte, so wie er die dieseitigen Principia in Riechssachen hochschaetze und Verehre. Diese Drueckungsart, wolle und koenne er dann auch in einer Epoque nicht Verleugnen, welche keinesweges die Bestimmung eines unerheblichen Umstandes betraefe, sondern eine Epoque waere, die von der Gantzen Zukunft entscheide. Er wolle mir also ehrlich und endlich die Folgen zeigen, welche einen Pro Memoria nach sich ziehen wuerde, und hiernaechst mir seinen Vorschlag thun, selbige abzuwenden, weil er sich Versichert hielte, dass Ewer Ken. Mt. gewiss even so sehr des Kaysers Freundschaft und Zufriedenheit wuenschte, dass Sr. Kayle. Mt. nachdem hochstdieselbe in der Lehnangelegenheit mit Ewer Koen. Mt. wie ein Freund mit seinem Freunde gehandelt, und Ewer Koen. Mt. sich hinwiederum dagegen so betragen haetten, wie von ein Freunde und wie es einem Herrn, der fuer die Verfassung und Geseze des Reiches wahr-



haft bedacht ist, haette erwarten worden koennen, Sr. Kayle. Mt. eben den nach der Hand genommenen Gang der Sache mehr als einmahl in Nachdenken gerathen waeren. Freundschaft, Hochachtung, und Vertrauen auf Ewer Koen. Mt. Erlaeuchtung haetten aber allezeit wieder die Oberhand gewonnen, und obgleich aufs neue allerhand Berichte, und Vornaemlich ein Umstand dazwischen gekommen waere, der Sr. Kayle. Mt. sehr aufgefallen ware, da nehmelich den Koenig von Preussen, als der General Nugent in Sr. Mt. vor seiner Abreise von Berlin wegen der Lehnssachen eines Tages anhalten gedrungen haette, der wortliche Ausdruck entfallen waere, wie er gewiss weisse, dass der Koenig von England die Belehnung eben so wenig, als er nehmen wuerde, so haetten Sr. Mt. jedoch alle Zweifel unterdrucket, und Sich Vorgenommen, Ihres Orts, in dem angetretenen freundschaftlichen und Vertrauensvollen Wege fortzugehen, in dem hoechstdieselbe sich nichts anders also Versprochen koennten, dass Ewer Koen. Mt. allendlich wieder die Vollkommene Detour Ihr angedeyhen lassen wuerden. Sr. Kayle. Mt. haetten also in der Erzamtssache alles erschoepfen lassen, was nur immer haette erwartet werden koennen, sie weiter gefuehret, als Sie in vorigen Zeiten eingebracht worden waere, auch selbst bey Ihrer Frau Mutter Mt. durch die muehsame Verhandlungen zwischen des Reichs, Staats, und Boehmischen Cantzley die Sache dergestalt als Ihre eigene betrieben, dass von seiten Ewer Koen. Mt. nicht ein einziger Schritt haette geschehen duerfen, sondern nur uebrig geblieben waere, mich blos am Ende zu Vernehmung auch Ihr Kayle. Mt. Freundschaftlichen Entschliessungen an des Kayle. Koenigl. Ministerium zu weisen. Mittlerweile waeren auch die Chursaechsische, Churbayerische und Churpfaeltzische Hoefe beygetreten, die allein auf Ewer Koen.



Mt. Vorgang warteten, und die Kayserin Koenigin haette, um dem Ihrigen zu leisten, sich zur Verabredung mit Ewer Koen. Mt. erboten. Dieses alles nun Vorausgesezet, haetten Sr. Kayle. Mt. darauf gebauet, dass Ewer Koen. Mt. Ihro mit bestimmung der Zeit, die Sie jedoch Ihro abermahl in Freundschaft legidliche anheim gelassen haettet, entgegen koennen, und dadurch den Schritt thun werden, von dem allein sich hoften liesse, das Werk zum wuerklichen Erfolge einzuleiten. Wenn dann Sr. Kayle. Mt. durch das Pro Memoria sich allendlich dieses Ihr Verlangen ein fuer allemahl abgeschlagen sahen; so wuerde daraus erfolgen, dass Sr. Kayle. Mt. alle sich ueberzeugt halten wuerden, bey Ihro aber die groesste Empfindlichkeit daher rueren, dass, nachdem Sr. Mt. mehr als ein Kayser gethan, und selbst Ihr Kayserliches Ansehen nachgegeben haetten, nur um die Reichsfassung wieder in die Ordnung und das Geleise zu bringen, hoechstdieselbe nach einen solchen Schritte zurueck gelassen worden waeren, und dass Sr. Mt. mit dem anderen Herrn Churfuersten noch dazu Compro-mittiret sich befaenden, als denen dieselbe den Churbraunschweigischen, so wie Ewer Kent. Mt. den Churboehmischen Vorgang versprochen haetten, und letztern zwar Verschafthen, auf erstern aber Sie mit keiner Praecision weissen koennten, mithin in Ansehung ihrer, um Sie zu ihren Lehenspflichten anzuhalten, sogar gebundene Haende haettet. Dieses waeren die Folgen in so weit es die Lehenssache beträfe; Ueberhaupt aber wuerden selbige darinn bestehen, dass ungeachtet Sr. Mt. ein Hertz voll Freundschaft und Zuneigung fuer Ewer Koen. Mt. hegten, und ungeachtet auch hoechstdieselbe fuer deroselben Persohn solche einmahles Verleugnen wuerden, sich in dem Geschaeften anstatt Vertrauens und Vernehmens, Misstrauen, Zweifelmuth, Zurueck-



haltung, wie Entfernung, Gott wisse, auf wie lang in dem Weg legen wuerde. Dem allgemeinen Reichswesen muesste diese gewisse Nachtheil bringen; was Ewer Koen. Mt. Interesse belangte, so waere es zwar Wahr, dass hoechstdieselbe dermahlen hier nichts zu betreiben haettet, er muesse sich aber die Freyheit nehmen, doch auch anzumerken, wie man doch immer in der Welt nicht wissen koenne, worin ein Hof den anderen gebrauchen koennte. Sein Vorschlag gienge nunmehro nach allen diesen Betrachtungen dahin, dass ich das Pro Memoria Vorerst noch zurueck halten, und von allem dem, was er mir aus wahrer Wohlmeynung Vorgestellet haette, Vorhero noch berichten moegte, waehrend dem allenfalls auch noch Ewer Ken. Mt. durch den Grafen von Belgio-soho inmittelbare Vorstellungen gemacht werden koennten.

Er fuegte hinzu, dass wenn es bey dem Pro Memoria bleibe, er fuer sein Theil so viel dabey verliere, dass er fortan untuechtig gemacht wuerde, fuer die Freundschaft beyden Hoefe zu arbeiten; Er waere fuer das alte Sistem, und der Reichsvizecancler gewiss auch: es gaebe schon anderen die anders dachten, und beyzubringen suchten, dass der letzte Krieg unserseits noch nicht aufgegeben sey, und man daher sich hier niemals sicher von unsere Gesinnungen halten muessten. Diese Partey wuerde genommenen Spiel bekommen, das muesste er mit Wehmuth sagen.

Ich habe dem von Leikam auf diese lange und nachher noch zu zweytenmahl, da er mich zu sehen bekommen hat, wiederholte Unterredung geantwortet, wie ich hoffte seine mir bezeigte Freymuethigkeit bey allen Gelegenheiten erkannt zu haben, und wie ich nichts mehr wuenschte, als seinen Begehren jedesmahl genuege zu leisten; ich zweifele auch an seiner Wohlmeynung, in Ansehung dessen was er mir



Vorgestellt haette, nicht, und in so weit dankte ich ihm dafuer; allein das Pro Memoria zurueck zu halten, stuende in meinen Maechten nicht. Es waere mir solches nicht nur als Ewer Koen. Mt. Wil-lensmeynung zugesendet, sondern woertlich Vorgeschrrieben. Ueber-geben muesste ich es also, und wuerde es, sobald der Herr Reichs-vizecancler zurueckkaeme; ich wuerde aber auch nach meinen Pflichten getreu dasjenige Berichten, was mir von Sr. Kayserlichen Gnaden oder von ihm, vom Leikam, aufgegeben werden wuerde. Hiernach aber bliebe mir nichts uebrig, als dasjenige hinwiederum zu hinterbringen, was Ewer Ken. Mt. nach ihrer erleuchttesten Einsicht fuer gut ansehen wuerden. Im uebrigen unterliess ich nicht von Ewer Koen. Mt. Freundschaft fuer den Kayser, und Ihrer eben so aufrichtigen als patriotischen Denkungsart, alles dasjenige aufs beste geltend zu machen, was die Gelegenheit an Hand gab.

Der von Leikam erwiederte was er von der Wichtigkeit des jetzigen Zeitpunct vorhin angefuehrt hatte, und fuegte hinzu, dass, wenn ich mich aus diesen Gruenden nicht ermaechtige hielte, das Pro Memoria vorerst an mich zu halten, er es mir auch keinesweges zu muthen wollte, dass aber ich ihm doch in gleichen Vertraulichkeit, als er mir erwiesen haette, meine selbst eigenen Gedanken zu Erhaltung des grossen Endzwecks, des guten Vernehmens zwischen beyden Hoefen, mittheilen moegte.

Ich antwortete ihm, dass die Sachen in einen weit Vortheilhafteren Gesichtspunct anzusehen waeren, als er befuerchtete. Denn obgleich Ewer Ke. Mt. eine bestimmte Zeit zur Belehnung namentlich nicht feststellten; so erhielte der hiesige Hof darin seinen Wunsch, dass Sr. Koenigliche Mt. sich heraus liessen, wie Sie aus Hochachtung



und Freundschaft fuer den Kayser, die Beendigung der Erzamtsangelegenheit zu einer nothwendigen Bedingung der Churbelehnung nicht machen wollten. Mir schienen anjetzo zween Wege Vorhanden; der eine sich dabey aufzuhalten, das bey diesem nachgegebenen Grundsatze die gesondere Feststellung der Zeit nicht mit erfolgt waere, und hierueber nicht nur den Zweck zu Verfehlen, sondern noch dazu Misverstand zwischen beyden Hoefen zu erregen; der andere, den Faden da anzuknuepfen wo er sich darboete, mithin sich an henem Grundsatze zu beruhigen, und da Ewer Ke. Mt. die bestimmtere Feststellung Verboeten, weil Sie Theils die Wendung der Erzamtssache absehen, Theils auch die Regulirung anderer Punckten ueberhaupt Vorher gehen lassen zu muessen glaubten, desto unvergnueglicher jene in Bewegung zu seyen und Capitulationsmaessig zu befoerdern, und desto bereitwilliger zu diesen letztern mit zu wuerken, wenn Sie zur Sprache kaemen, dass man aber nicht Jahre lang die Sache in das weite Feld zu spielen willens waere, wie befuerchtet zu werden schiene, das erhallte auch daraus, weil mir, wie ich ihm Vertraulich eroefnen koennte, Auftrag wuercklich geschen waere, ueber das was bey der Belehnung zu beobachten und zu reguliren waere, Bericht und Gutachtun zu erstatten.

Der von Leikam Versegte hierauf, wenn je eine Sache keine Pointille waere, so waere es diese nicht, sondern es waere der allerwesentlichste und wichtigste Gegenstand, zumahl wenn er ein Zusammenhang des Verlaufs, und in Ruecksicht auf Sr. Mt. des Kaysersart zu denken betrachtet wuerde. Wenn Ewer Ke. Mt. auch ein ganzes Jahr zur Frist genommen haetten, soe wuerde es der Kayser sich haben gefallen lassen; aber die Praecision und die Natur der Sache liesse sich keinen Begrif von dem Fortgange dieser letztere machen, wenn



man nicht Terminum ad quem haette. Es waere auch der von mir angefuehrte Grundsatz schon laengst erhalten, da Ewer Ke. Mt. von dem ersten Anfang an schickliche Temperamente sich gefallen lassen zu wollen, Versprochen haetten. Das zu thun, wozu der Kayser die Capitulation wegen des Erzamts Verbaende, wuerde man ein Unterlassen; Wenn aber Sr. Mt. auf eine solche Art die Retour von Freundschaft Vermissen sollten, als das Pro Memoria ankuendigte, so wuerden, das saehe er Voraus, Sr. Kaysl. Mt. zu dem, was die letzte Note des Herrn Reichsviceranzler enthielte, sich wohl nicht Verdenden erachten. Auch dieses wollte es mir nach seiner Freymuethigkeit und Wohlmeynung lieber voraus sagen, und boete er mich instaendigst, auf meine obige Cedanken nicht zu appugiren, sondern zu glauben dass Sr. Kayserl. Mt. nach dem jetzigen Zeitpunkte auf immer ertheilen wuerden. Im uebrigen Versicherte er mich, wie man hieselbst wegen derjenigen Puncte, die hiernaechst noch in Richtigkeit zu bringen waeren, alle ersinnliche Facilitaet, und vor Ewer Ke. Mt. Vorzuglich beweisen wuerde, besonders aeusserte er sich in dieser Masse wegen der Tax Gelder, als in Ansehung welcher solche Erklaerungen geschehen sollten, als man Vielleicht nicht erwarten duerfte.

Mir sind damit auseinander geschieden, dass ich mir Verbehielte, dem Herrn Reichsviceranzler einen Pro Memoria zu ueberreichen. Indessen haben meine Ewer Ke. Mt. mit einen theuren Eide geleisteten Pflichten erforderd, allerhoechst derenselben diesen alleruntherthaenigster getreuer Bericht zu fussen zu legen.

Muehl.



Vienna, 8 December, 1770.

In the dispatch below Muehl notified his principals that he had presented the Imperial Vice Chancellor Colloredo with the Pro Memoria. Muehl recorded the response of Colloredo which was to be interpreted as far more official than the one that the Vice Chancellor's assistant von Leikam gave to the Legationsrath. Nevertheless, the contents of this report indicate that even Colloredo's response was still very much a personal one and showed the leverage that he was able to exercise in his capacity as Imperial Vice Chancellor.

Habe ich, in Verfolge meiner zweyten allerunterthaenigsten Berichts Nachschrift, von voriger Post, Gestern dem Herrn Reichsvicecanzler das in der Erzamts und Belehnungssache mir aufgegebene Pro Memoria, uf den gestrigen Tag datirt, ueberreicht.

Auch er hat mir hierauf bezeuget, wie er, seitdem er durch den von Leikam von dessen Inhalten benachrichtiget sey, sich in einer groesserer Verlegenheit befindet, als er mir zu beschreiben im Stande waere, und sich hiernaechst, obwohl mit der aeussersten Anstaendigkeit, und mit der tiefsten Ehrfurcht gegen Ewer Ke. Mt., jedoch mit Nachdruck und vieler Umstaendlichkeit bmeuehet, mir die Sache aus eben denselben Gesichtspunkte Vorzustellen, als juengst von dem von Leikam geschehen ist.

Ich erachte fuer unnoethig, darueber mich nach der Reihe auszubreiten, da ich von meiner Unterredung mit dem von Leikam meinen pflichtmaessigen Bericht bereits hinlaenglich erstattet habe. Dieses einzige darf ich einberuehrt nicht lassen, wie auch der Herr Reichsvicecanzler zu Verschiedenen Mahlen darauf bestande, und darauf appugiren von mir Verlangt hat, dass die Sache, nicht, wie es etwa



as Ansehen haben moegte, von Unerheblichkeit waere, sondern es dabey auf den allerwichtigsten Zeitpunkt ankaeme, welcher jemals zwischen Ewer Ke. Mt. und dem Kayser sich ereignen koennte, indem er mir gantz frey bekennen muesste, dass so wenig Sr. Kays. Mt. jemals an Ewer Ke. Mt. persoehnlichen Freundschaft und persoehnlichen Gesinnungen, von denen Ihro, wie ehemahls der Grafen von Seilern, also jetzt der Graf von Belgiosoho, die allerschmeichelhaftesten Zweifel tragen wuerden, jedoch in Ansehung der Geschaefte, und der Frage von Fortsetzung, und von immermehrerer Befestigung, und Ausbreitung eines Vertraulichen und zu versichtlichen Vernehmens in solchen, der Aufschluss des gegenwaertigen Gegenstandes in Sr. Kays. Mt. Gemuethe die Bestimmung und Entscheidung auf kuenftige Zeiten gehen wuerde.

Der Reichsvicecanzler hat hierauf verschiedens von dem Caractere Ihro Kayserl. Mt. und von hoechst Ihro Art Unbeweglichkeit in Urtheilen, Entschliess, und Grundaetzen auf der andere, sobald dieselbe Tacta vor zich zu haben glaubten, beruhret. Er sagte hinzu dass er mir in Vertrauen gerade heraus sagen musse, wie verschiedene Behaupteten, dass man sich uns seit dem letzten Kriege noch nicht Vertrauen koennte, viel wenigstens dessen Ausdrucken wie nocht nicht vergessen, und die damahls gegen andere angenommenen Gesinnungen, noch nicht abgelegt haetten, und von Anfang an, als die erstere Erklaerungen und Verhandlungen in der Lehnssache das Gegentheil hoffen liessen, immerhin eingewendet haetten wie man nur auf das Ende warten sollte. Hieraus folgerte er, in welcher Gestalt er und andere nunmehro erschienen wuerden, und welchen unauslieschlichen Eindruck hingegen jene, auf Ihro Kayserl. Mt. machen muessten; dann er durfte es mir nicht verhelen dass man in dem Gange welchen die Sache nach der Hand genommen haette,



wie seine eigenen Worte waren, eine Vorliebe fuer einen andern Hof blos und allem anzutreffen blaubte, so wie man in mehren Stuecken die Retour fuer das hiesig Betragen geschweige eine eifrige Begierde mit dem Kayser und seinen Ministerio in Vertrautem Vernehmen zustehen, nicht zu finden meinte, worueber er v elleicht sich einmahl noch naeher heraus lassen duerfte.

Ich habe nicht ermangelt, auch den Herrn Reichsvizecancler Ewer Ken. Mt. wahre Freundschaft und Hochachtung fuer den Kayser, mit Hoechst-ihro gesezmaessigen Denkungsart in Absicht auf alle Reichssachen, Ewer Ken. Mt. Hochbetrauten Ministerii ebenfalls hierauf gegrundete Gesinnungen, und was die gegenwaertige Sache betrifft, die wahrhaft Vorhandene und von Ewer Koen. Mt. einmahls anders zu Vermuthende endliche Absicht, das Versprochene ins Werk zu sezen, auf die behufigste Art vorzustellen; dabey aber angefuehret, dass, so genau und peuencktlich ich von allem, was er und der von Leikam mit mir geredet haetten, berichten wuerde, ich das Pro Memoria selbst, welches ich ihm zu uebergaben die Ihro gehabt haette, zurueck zu halten nicht Vermoegte.

Der Herr Reichsvicecanzler antwortete mir hierauf, wie bey dieser meiner Aeusserung, ihm dann auch hart fallen muesste, seines Arts, das Pro Memoria Sr. Kayserl. Mt. dem Kayser, vorerst noch nicht vorzulegen, und dennoch bedaurte er, wenn er es thun muesste. Er sagte endlich, er wollte das Pro Memoria noch genau durchlesen, und wohl erwaegen, und behielte es sich vor, was er etwa weiter darauf mir noch zu erkennen geben koennte; indessen ersuchte er mich, von dem, was er und von Leikam gegen mich aus wohlgemeinten Antreibe geaeussert haetten, dem besten und Umstaendlichen Gebrauch zu machen.

Als ich das Abends letztern ihm sah, wiederholte dieser mir solches



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Als ich das Abends letztern ihm sah, wiederholte dieser mir sol-



ches Ansuchen, und eroefnete mir, wie er glaubte, dass der Herr Reichsvicecanzler das Pro Memoria vorerst noch an sich halten wuerde, weil er immer hofte, das Ewer Ke. Mt. Sich noch guenstiger entschliesse duerften; geschaehe dieses nicht, so hielte der Herr Reichsvicecanzler dafuer, wenigstens nach seiner devotion, alles erschoepfet zu haben, um sich in Absicht auf beyde Hoefe, nichts Verwerfen zu koennen.

Ich muss hinbey allerunterthaenigst noch einer Aussicht gedenken, in welcher mir das Ersuchen des Kaysers um Festsetzung eines Termins zur Lehnsempfaengniss Vorgestellt wird. Mann setzt naemlich darin einen besondere Vorzug, welcher der Kayser Ewer Koen. Mt. erweise. Nach aller Lehnsrechten, und nach allem Lehnsgebraeuche, sagt man, waere es der Lehnsherr der die Frist anzusezen, und bey dem der Vasall, auch bey legalen Verhinderungen, um deren Verlaengerung von Zeit zu Seit einzukommen pflegte, und hone auf das zurueck zu gehen was unter dem Hochherl. Kayser deswegen bey RHRath ergangen ist, wuerde dahero auch, nachdem durch Hebung der LehnsCeremoniel-Anstaende, die allenfalls legal anscheinen moegende Hinderniss gehoben worden waere, der RHRath Ordnungs maessigen Wege Fortgeschritten haben, wenn nicht ich, als der Herr Reichsvicecanzler einmahl davon, Gespraechsweise etwas haette fallen lassen, ihm zu erkennen gegeben haette, wie ich nicht glaubte, dass ein solches niliges und strenges betragen in gegenwaertigen Falle schicklich und rathsam waere; worauf man, wie ich in mehrere Sachen, sonderlich in der Wuertembergischen eine gleiche Willfaehrigkeit nicht in Abrede stellen wuerde, sogleich dem RHRath aufgegeben haette, fortan in allen Churfuerstlichen Belehnungssachen still zu stehen, und auch die Vorhandenen Fristgesuche Vorerst unerledigt zu lassen. Mehr haette nun der Kayser nicht thun koennen, als dass er in



Ansehung Ewer Ken. Mt. die Sache sogar umgekehret, und hoechstdenselben, da von Ihro der Weg gebahnet worden waere, angeboten haette, sich slebst, und zwar gleichwohl so weit hinaus, als es Ewer Ke. Mt. billig finden wuerden, die Frist anzuberaumen, welche bestimmte Frist, wenn man auch zur Praecision des Geschaeftes zwischen Ewer Koen. Mt. und dem Kayser ihrer nicht noethig haette, jedoch in Absicht auf alle und jede andere Churhoefen Ewer Ner. Mt. Vorgang Bedingungsweise Versprochen haette, nicht anders als unumgaenglich zu erachten wissste. Nur zweyerley koennte Sie, nach dem selbsteigenen Pro Memoria, aufhalten; erstlich die Abzuwartende Wendung in der Erzamts Angelegenheit, und hiernaechst die Berichtigung der bey der Belehnung ueberhaupt noch zu regulirenden Punckte. Die Nothwendigkeit aber, jene abzuwarten, fiele hinweg, sobald Voraus gesezet wuerde, dass die Bendigung der Erzamtssache keine Nothwendige Bedingung der Churbelehnung seyn sollte, es muesste dann an Sr. Kayserliche Mt. getreuen Erfuellung dessen, wozu Sie Sich anheischig gemacht haetten, gezweifelt werden, welcher Zweifel, dass er Vorhanden seyn sollte, sich bey Ewer Ken. Mt. bekannter Freundschaft und Achtung fuer den Kayser auch nicht einmahl argwohnen liesse. Was hingegen den zweyten Anstand betraefe; so wisste man wenigstens Vorerst hier nicht, was, ausser denen, bye allen Belehnungen Vorkommenden Punckten, zu deren Berichtigung eben in regula sonsten der RHRath, wie jeder Lehnshof, die Frist Vorzuschreiben pflegte, noch vor andere Vorhanden seyn sollten, als dass etwa wegen der Bremischen Belehnung kein Lehnbrief Vorhanden sey, und dass bey dem Taxamt eine Auskunft getroffen werden muesse. In Ansehung des erstere wuerde, sobald nur davon geredet werden wollte, nichts leichters seyn, als in Richtigkeit zu kommen, und wegen des zwey-



ten, waeren Bereits solche durchschnitte bis zur Lehnsempfaengniss beliebet dass mann, sobald auch nur hievon gesprochen werden wollte, alle Zufriedenheit zu geben hoffte, wenn nur die Herren Churfuersten, nach gehobener Hinderniss, die man legal nennen wollte, fortan keine neue moram eintreten zu lassen gedaechten.

Ich Verspare das naehere ueber diese zwey letztern Gegenstaende bis zu mir aufgetragenen Berichte, den ich in 8 Tagen erstatten zu koennen hoffe.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget,

Muehl.

Vienna, 15 December, 1770

This dispatch sent by von der Muehl follows the content of the two immediately preceding it. Here again we see that Imperial officials, and in particular the Imperial Vice Chancellor Colloredo, continued to express much concern over the implications of Hanover's position as outlined in the Pro Memoria delivered by the Legationsrath. We also learn that Colloredo had not yet informed the Emperor of the Pro Memoria and its contents; he hoped that the Hanoverian government would reconsider its position and send new instruction to the embassy.

Hat mir der von Leikam, aus Auftrag und in Nahmen des Herrn Reichsvicecanzler zu erkennen gegeben, wie dieser, nachdem er das von mir in der Erzamts- und Belehnungssache uebergebene erwogen habe, aus denen mir bereits Vortraulich eroefneten Ursachen, ueber sich fortan nicht gewinnen koenne, solches Sr. Kayserlichen Mt. Vorzulegen,



ohne vorher Ewer Ken. Mt. hoechsten Willensmeynung wiederholt versichert zu seyn. Bestuenden Ewer Koen. Mt. darauf, so erkannte er seine Pflicht, dem Kayser nichts zu hinterhalten, was die Hoefe an denselben gebracht wissen wollten; allein, in gegenwaertigen Falle, glaubte er diese Voranfrage seinen Pflichten und Gewissen nach weit mehr schuldig zu seyn, weil er sich Verbunden erachtete, soviel wenigstens an ihm sey, alles abzuwenden, wovon er leyder nur allzusehr Versichert waere, dass nicht nur daraus die gaentzliche Umsezung eines so heilsamen und noethigen Geschaeftes, als die Reichsbelehnungen waeren, folgen, sondern Vornehmlich darueber das gute Vertrauen und Vernehmen zwischen beyden Hoefen geschwaechert, und bey allen Freundschaftlichen und aufrichtigen Gesinnungen Ewer Koen. Mt. und des Kaysers, Gott wisse auf sie lange Entfernung und das schaedlichste Misstrauen entstehen wuerde. Er, der Herr Reichsviceranczler, boete mich, die Sache in diesen Gesichtspunkten, und seine Aeusserungen nach seiner wahren Wohlmeynung Vorzutragen, und nunmehro die Verhaltungsbefehle einzuholen, ob ich ihn in die fuer ihn gewiss traurige, Nothwendigkeit, das Pro Memoria unveraendert an Sr. Kayserl. Mt. gelangen zu lassen, sezen muesste, oder ihm die freundige Botschaft einer gluecklichen Abenderung, uns solchen gefaelligen Erklaerung bringen koenne, als sie der Kayser von ewer Koen. Mt. Frundschaft und eben so sehr nach dem Zusammenhange und verlaufe der Sachen, als auf den starksten Grunden, erwarten zu koennen glaubte.

Ich kann Umgang nehmen zugleich in diesen allerunterthaenigsten Brichte alles dasjenige anzufuehren, was mir in idesen dreyfachen Absicht auch diese 8 Tage ueber, und bey gegenwaertigen Eroefnung, zu gemuthe gefuehret worden ist, indem es eben dasselbe ist, was ich



dieses Jahr hindurch bereits oftmahls und noch erst unterm 5ten und 8ten dieses allererbietigst habe berichten muessen.

Um Ewer Koen. Mt. mit wiederholungen nicht zu ermueden, werde ich blos diejenige Vier Punckte beruehren duerfen, auf welche man in der kuertze die Gruende hinselbst allendlich zusammen fasset, warum man dafuer halte, die selbststellung einer bestimmten im uebrigen selbstgefaelligen Zeit zur Belehnung von Ewer Koen. Mt. erwarten zu duerfen.

1) Weil mann sich auch nicht aus Grunden und Beyspielen, sowohl Ewer Ken. Mt. hohen Churhauses, als andere Haeusser, dorten liesse, dass Churbelehnungen und Erzamtliche Belehnungen in einer nothwendigen Verbindung nicht stuenden, jedernoch Ewer Koen. Mt. von dem allerersten Anfange an versprochen haetten, schickliche Temperamente eintreten zu lassen, und weil sobald nach dem nunmehrigen Pro Memoria die Beendigung der Erzamtsangelegenheit nicht zu einer nothwendigen Bedingung der Churbelehnung gemacht werden wolle, keine Ursache Vorhanden sey, diese letzte auf eine gantz unbestimmte Zeit auszusezen, und die Wendung der ersten abzuwarten.

2) Weil Sr. Kayserl. Mt. auch, in Ansehung des Erzamts, alles erschoepften, was von Ihro nicht nur als Kayser, sondern als einen Wahren Freunde, irgends erwartet werden koennte.

3) Weil, wenn Sich auch Ewer Koen. Mt. nicht erklaeret haetten, Ihro Belehnung blos auf den Churboehmischen Vorgang, und nicht auf andere zu Verstellen, jedennoch nicht nur der Kayserin Koenigin Mt. zu jenem Bereit waeren, und die Verabredung dazu angeboten haetten, sondern nunmehro auch seit der ersten Abfaelligen Erklaerung von fruehjahre, Churbayern, Chursachsen, und Churpfaltz wuerklich beyge-



treten, dass also, wenn diese auf eine gantz unbestimmte Zeit fortan hinaus gesetzet werden wollte, anstatt durch Ewer Koen. Mt. rumwuerdigstes Beispiel das Belehnungswerk zu befoerden, dieses Vielmehr durch solches in neuen umbestimmten Aufschub, und wie man von Ewer Koen. Mt. Freundschaft versichert waere, wider hoechstdero Absicht, in eine Weit unangenehmere Gestalt, als jemal mit selbsteigener Compromittirung Sr. Kaye. Mt. Worts und Versicherung in Ansehung der andern Churhoefe, versuchet wuerde. Und;

4) Weil das Ansuchen um Feststellung der Zeit so wenig ein Uebertriebenes Begehr in sich schliesste, dass es vielmehr einen Vorzeglichen Beweis von des Kaysers Freundschaft abgaebe, indem kein Beispiel Vorhanden seyn moegte, dass einem Hofe die Festsetzung der Zeit zu seiner Belehnung in seine Willkuehr gestellet worden waere, vielmehr der Kayser, wie jeder Lehnherr, die Befuegniss und das Herkommen fuer sich haette, seines Orts, den Termin zur Belehnung anzuberaumen, und selbst bey legalen Verhinderungen von Zeit zu Seit in Ansehung desselben zu erkennen.

Ewer Koen. Mt. allerhoechste Befehle erwartet ich nunmehro in allertiefster Unterwuerfigkeit und werde ich indessen, nach der Natur der Sachen, vorerst Anstand nehmen muessen, den Kayserlich Koeniglich Min sterio das aufgegenen, als sich auf mein uebergebenes Pro Memoria beziehend, zu hinterbringen.

Ich verharre wie mein allerunterthaenigster Bericht des mehrere besaget,

Muehl.













**B30336**